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सं० 52]

नई दिल्ली, शनिवार, दिसम्बर 28, 1974/पोष 7, 1896

No. 52] NEW DELHI, SATURDAY, DECEMBER 28, 1974/PAUSA 7, 1896

इस भाग में विभिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।

Separate paging is given to this Part in order that it may be filed as a separate compilation .

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य क्षेत्र प्रशासनों को छोड़कर)

केन्द्रीय प्राधिकारियों द्वारा जारी किये गये सर्वाधिकार प्रादेश और अधिसूचनाएं

Statutory orders and notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence) by Central Authorities
(other than the Administrations of Union Territories)

मंत्रिमण्डल सचिवालय

(कार्मिक और प्रशासनिक सुधार विभाग)

नई दिल्ली, 11 दिसम्बर, 1974

का. आ. 3382.—दण्ड प्रक्रिया संहिता 1973 (अधिनियम 1974 का 2) की धारा 24 की उपधारा 6 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एल्यू द्वारा 1972 का मामला नं. 27/एस 1972 (मैसर्स इन्टरनेशनल फ्रेंचवाइज प्राइवेट लि. तथा अन्य के विरुद्ध आर. सी. नं. 26/ई/66-बम्बई) में मुख्य प्रेसीडेंसी मजिस्ट्रेट, बम्बई द्वारा दिए गए अभियुक्तों के दोष मुक्ति आदेशों के विरुद्ध राज्य द्वारा बम्बई उच्च न्यायालय में दायर की गई अपील का संचालन करने के लिए श्री पीरस ए. मेहता अधिवक्ता बम्बई को विशेष लोक अभियोजक नियुक्त करती है ।

[संख्या 225/62/74-ए बी डी 2]

CABINET SECRETARIAT

(Department of Personnel and Administrative Reforms)

New Delhi, the 11th December, 1974

S.O. 3382.—In exercise of the powers conferred by sub-section (6) of Section 24 of the Code of Criminal Procedure 1973 (2 of 1974), the Central Government hereby appoints

Shri Porus A. Mehta Advocate, Bombay, as a Special Public Prosecutor for conducting the appeal filed in the Bombay High Court by the State against the order of acquittal of the accused (K.C. No. 26/E/66-Bombay against M/s International Franchises Private Limited, and others) by the Chief Presidency Magistrate, Bombay, in Case No. 27/S of 1972.

[No. 225/62/74-AVD II]

नई दिल्ली, 17 दिसम्बर, 1974

का. आ. 3383.—दण्ड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (6) प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, कलकत्ता के एडवोकेट श्री एम.एम. सान्याल को, श्रीमती रुक्मिणी तथा अन्य पटवा के विरुद्ध स्पेशल पुलिस इन्शेक्शनमेंट कलकत्ता के रेगुलर केस नम्बर 5/70 से उद्भूत, श्रीमती रुक्मिणी पटवा और श्री काली चरण पटवा को बरी किये जाने के प्रादेश के विरुद्ध राज्य सरकार द्वारा कलकत्ता हाई कोर्ट में दायर की गयी फौजदारी अपील की पीरवी करने के लिये एनड्वारा स्पेशल पब्लिक प्रोसिक्यूटर नियुक्त करती है ।

[संख्या 225/56/74-ए बी डी-2]

बी. सी. वनजानी, अवर सचिव

New Delhi, the 17th December, 1974

S.O. 3383.—In exercise of the powers conferred by sub-section (6) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby

appoints Shri S. M. Sanyal, Advocate, Calcutta, as a Special Public Prosecutor for the purposes of criminal appeal filed by the State against the order of acquittal of Smt. Rukmini. Patwa and Shri Kali Charan Patwa in Calcutta High Court, arising out of Regular Case No. 5/70 of Special Police Establishment Calcutta against Smt. Rukmini Patwa and others.

[No. 225/56/74-AVD. II]

B. C. VANJANI, Under Secy.

भारत निर्वाचन आयोग

प्रवेश

नई दिल्ली, 14 अक्टूबर, 1974

का० प्रा० 3384.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1972 में हुए बिहार विधान सभा के लिए साधारण निर्वाचन के लिए 229-विक्रमगंज निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री चन्द्रदीप स्वरूप चौधरी, ग्राम मंझौली, शाहाबाद लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और यतः, उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रयत्न स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः, अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री चन्द्रदीप स्वरूप चौधरी को संसद् के किसी भी सदन के या किसी राज्य की विधान-सभा प्रथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस प्रदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० बिहार-वि० सं० 22/9/72(132)]

ELECTION COMMISSION OF INDIA

ORDER

New Delhi, the 14th October, 1974

S.O. 3384.—Whereas the Election Commission is satisfied that Shri Chandradip Swaroop Choudhary, Village Majhau P.O. Koaath, Shahabad who was a contesting candidate for election to the Bihar Legislative Assembly from 229-Bikram-ganj constituency held in March 1972 has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate even after the due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Chandradip Swaroop Choudhary to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. BR-LA/229/72(132)]

प्रवेश

का० प्रा० 3385.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1972 में हुए बिहार विधान सभा के लिए साधारण निर्वाचन के लिए 229-विक्रमगंज निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री सत्य नारायण सिंह, ग्राम बुनियां खुर्द, पो० भा० बुनिया कला, शाहाबाद (बिहार) लोक प्रतिनिधित्व अधिनियम, तथा तदधीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रयत्न स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः, अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री सत्य नारायण सिंह को संसद् के किसी भी सदन के या किसी राज्य की विधान-सभा प्रथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस प्रदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० बिहार-वि० सं० 229/72(149)]

ए० एन० सैन, सचिव

ORDER

S.O. 3385.—Whereas the Election Commission is satisfied that Shri Satya Narain Singh Village Ghusian Khurd P. O. Ghusian Kala, Shahabad who was a contesting candidate for election to the Bihar Legislative Assembly from 229-Bikram-ganj constituency held in March, 1972 has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate even after the due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Satya Narain Singh to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. BR-LA/229/72/(149)]

A. N. SEN, Secy.

S.O. 3386.—In pursuance of section 106 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby publishes the order dated 14 October, 1974 of the High Court of Judicature at Madras, in Election Petitions Nos. 1 and 2 of 1974.

IN THE HIGH COURT OF JUDICATURE AT MADRAS
ORIGINAL JURISDICTION

Monday, the 14th day of October, 1974

The Honourable Mr. Justice MOHAN

ELECTION PETITION Nos. 1 and 2 of 1974 and Re-
crimination Petition No. 1 of 1974 in Election
Petition No. 1 of 1974.

Election Petition No. 1 of 1974 :

R. Mohana Rangan,
29, Barathiyar Street,
Palavanthangal, Madras-61

... Petitioner.

Vs.

1. The Returning Officer,
The Secretary to the Government of
Tamil Nadu,
Legislative Assembly Department,
Madras-9.
2. The Electoral Registration Officer,
The Revenue Officer, Corporation of Madras,
Madras-3.
3. The Chief Election Commissioner,
Nirvachan Sadan, Ashoka Road, New Delhi.
4. Thiru Khader Sha, 32, North Car Street,
Dindigul.
5. Thiru S. A. Khaja Mohideen,
4, Sardar Jung Garden 1 Street,
Royapettah, Madras-14.
6. Thiru V. Subramanian,
97, Swami Naicken Street,
Chintadripet, Madras-2.
7. Thiru C. D. Natarajan,
17-B, Taylors Road, Madras-10.
8. Thiru S. Renganathan,
11, Sriramnagar, North, Madras-18.
9. Thiru G. Lakshmanan,
40, Murugappa Mudali Street, Madras-7.
10. Thiru John alias Valampuri John,
47, Portuguese Church Street,
Madras-1.

... Respondents.

Election Petition No. 2 of 1974 :

V. Subramanyan, 97, Swami Naicken Street,
Chintadripet, Madras-2.

... Petitioner.

Vs.

1. The Returning Officer,
The Secretary to Government of
Tamil Nadu, Legislative Assembly Department,
Fort St. George, Madras-9.
2. The Electoral Registration Officer,
The Revenue Officer, Corporation of Madras,
Ripon Buildings, Madras-3.
3. The Chief Election Commissioner,
Nirvachan Sadan Ashoka Road,
New Delhi.
4. Thiru M. Khader Sha,
32, North Car Street, Dindigul.
5. Thiru S. A. Khaja Mohideen,
4, Sardar Jung Garden, First Street,
Royapettah, Madras-14.

6. Thiru C. D. Natarajan,
17B, Taylors Road, Kilpauk, Madras-10.7. Thiru R. Mohanarangan,
29, Barathiar Street,
Palavanthangal, Madras-61.8. Thiru S. Renganathan,
11, Sriramnagar North,
Madras-18.9. Thiru G. Lakshmanan,
40, Murugappa Mudali Street,
Madras-7.10. Thiru John alias Valampuri John,
47, Portuguese Church Street,
Madras-1.

... Respondents.

Recrimination Petition No. 1 of 1974 :

V. Subrahmanyam,
97, Swami Naicken Street,
Chintadripet, Madras-2.

... Petitioner.

Vs.

1. Thiru R. Mohanarangan,
29, Barathiar Street,
Palavanthangal, Madras-61.
2. The Returning Officer,
The Secretary to Government of Tamil Nadu,
Legislative Assembly Dept.,
Madras-9.
3. The Electoral Registration Officer,
The Revenue Officer, Corporation of Madras,
Madras-3.
4. The Chief Election Commissioner,
Nirvachan Sadan, Ashoka Road, New Delhi.
5. Thiru N. Khader Sha, 32, North Car Street,
Dindigul.
6. Thiru S. A. Khaja Mohideen,
4, Sardar Jung Garden 1 Street,
Royapettah, Madras-14.
7. Thiru C. D. Natarajan,
17B, Taylor Road, Madras-10.
8. Thiru S. Renganathan, 11, Sriramnagar,
North, Madras-18.
9. Thiru G. Lakshmanan,
40, Murugappa Mudali Street,
Madras-7.
10. Thiru John alias Valampuri John,
47, Portuguese Church Street,
Madras-1.

... Respondents.

Election Petition Nos. 1 and 2 of 1974 :

Petitions praying (a) that the election of 10th respondent herein as one of the members of the Council of States from the State of Tamil Nadu, in the biennial Election held on 21-3-1974 be declared void, and the same be set aside under Section 100 of the Representation of the People Act, 1951; (b) that it be declared that the petitioner had been duly elected under Section 101 of the Representation of the People Act, 1951, in lieu of the 10th respondent and (c) that the costs of this petition be awarded.

RECRIMINATION PETITION NO. 1 OF 1974 :

Petition stating that John alias Valampuri John, the 10th respondent in Election Petition 1 of 1974, suffers from consti-

tutional disability for filing his nomination and the acceptance of his nomination has materially effected the results of the biennial election held on 21-3-1974 for the Council of States from the State of Tamil Nadu and praying that R. Mohanaragam, having secured no votes from the electorate, be eliminated and that he, having survived in the field as a continuing candidate and having secured some original votes himself, alone, be declared under Section 101 of the Act, as having been elected to the last of the six seats in the Council of States, and that costs of this petition be awarded to the petitioner.

THE HIGH COURT DELIVERED THE FOLLOWING JUDGEMENT

The above two petitions are for declaration that the election of the 10th respondent to the Council of States (Rajya Sabha) from the State of Tamil Nadu in the biennial election held on 21-3-1974 as void and to set aside the same and for a further declaration that the petitioner had been duly elected under Section 101 of the Representation of the People Act, 1951, in lieu of the 10th respondent. Though the petitioners in the two election petitions are different, since the allegations are identical and the evidence has been let in in common and both the matters have been jointly tried, they are dealt with under a common judgment.

ELECTION PETITION NO. 1 OF 1974:

The case of the petitioner is that nominations for filling six vacancies to the Council of States (Rajya Sabha) from the State of Tamil Nadu for the biennial elections were called for and the Notification in this behalf was issued on 4-3-1974, fixing the date for receipt of the nominations before 3 P. M. on 11-3-1974. Eleven nominations were filed and all of them were found to be valid on the date of the scrutiny, namely 12-3-1974. The last date for the withdrawal was 14-3-1974 and on that date three candidates withdrew their nominations, as a result of which eight candidates remained in the field. Election was held on 21-3-1974 and the counting took place on the same day. The results were published declaring respondents 4, 5 and 7 to 10 as elected with the following votes:

Thiru Khader Sha (4th respondent)	.....3,500
Thiru Khaja Mohideen (5th respondent)	.....3,700
Thiru C. D. Natarajan (7th respondent)	.....3,500
Thiru S. Renganathan (8th respondent)	.....4,100
Thiru G. Lakshmanan (9th respondent)	.....3,600
Thiru D. C. John alias Valampuri John (10th respondent)	.....3,700

It may be mentioned at this stage that the requisite quota to secure the election of a candidate was fixed at 3,201, i. e. $\frac{24400+1}{6+1}$ The Petitioner in Election Petition No. 1 of

1974 secured nil vote, while the petitioner in Election Petition No. 2 of 1974 secured 300 votes and consequently, they were not declared elected.

It is the election of the 10th respondent that is attacked, contending that he has not completed 30 years of age, as required under Article 84 (b), on the date of his nomination on 9-3-1974, since his date of birth is 14-5-1946. Therefore, the acceptance of nomination is void. Consequent to the same the result of the election has been materially effected by the improper acceptance of the nomination and by the non-compliance of the provisions of the Constitution and the Representation of the People Act of 1951 and the Rules framed thereunder.

In support of the statement that the date of birth of the 10th respondent is 14-5-1946, the following details are given:

- (1) Various records like the School Register, S. S. L. Certificate, the College records—all of them uniformly give the date of birth as 14-5-1946.

- (2) The 10th respondent himself, at the time of his enrolment as an Advocate, declared his date of birth as 14-5-1946.
- (3) In one of the books written by the 10th respondent, there is an admission by him that his date of birth is 14-10-1946.
- (4) The Electoral Roll for the North Madras Parliamentary Constituency of 1971 mentions the age of the 10th respondent as 25. But that had been got amended with a view to enable him to file his nomination to the impugned election. Since that amendment is illegal, the same cannot be taken into account.

Thus, the prayer is made for the abovesaid declarations:

The 6th respondent (Petitioner in Election Petition No. 2 of 1974) has filed a counter-statement and it is not necessary to set out the contents of the same.

The contesting respondent, viz, the 10th respondent, takes the stand that for the first time in February, 1974, on verification, he became aware of the fact that his correct date of birth was 14-5-1943. Up till then, all along, he was under the genuine impression that the date of birth given in the S. S. L. Certificate was the correct date. On this basis, it is said that the various school records, the college records and the records maintained by the Bar Council at the time of his enrolment, do not bear the correct date of birth, since all the records till the completion of his academic career are based upon the date of birth as found in the S. S. L. Certificate.

Though the book written by this respondent contains the date of birth as 14-10-1946, it is only in the biographical data and the respondent did not furnish the said information. He denies that he had not completed 30 years of age, as required under Article 84 (b) of the Constitution on the date of nomination. It is further denied that the acceptance of this respondent's nomination is void.

The Electoral Roll, 1971, to the North Madras Parliamentary Constituency came to be amended since he made a declaration on the basis that he had actually completed 30 years 9 months and 25 days. The corrected Electoral Roll will conclusively prove the eligibility of this respondent to seek election and this Court cannot go into the correctness or otherwise of the said amendment. Inasmuch as no objection was taken to the acceptance of nomination of this respondent, it is not open to the election petitioner now to contend that the said acceptance was improper. For these reasons, the election Petition is liable to be dismissed.

A reply statement has been filed by the petitioner reiterating the allegations contained in the petition.

RECRIMINATION PETITION NO. 1 OF 1974:

This is a petition under Section 97 read with Section 83 of the Representation of the People Act, 1951, and the same has been filed by way of recrimination by the 6th respondent herein (Petitioner in Election Petition No. 2 of 1974) who has secured 300 votes. It is his case that the petitioner in Election Petition No. 1 of 1974 secured no votes from the electorate and cannot be declared to have been elected under section 101 of the Representation of the People Act, 1951, by this Court. The voting and the counting of votes for this election were as per chapters 6 and 7 of the Conduct of Elections Rules and the procedure for counting of votes has been detailed in the Schedule to the Conduct of Elections Rules, 1961, as per Rules 83 therein. There being six seats to be filled up and five other candidates having secured votes of the required quota, were declared elected. In so far as the petitioner in this recrimination petition has secured 300 original votes. He alone should be declared elected in the event of the election of the 10th respondent being set aside, and the petitioner in Election Petition No 1 of 1974 cannot be declared to have been elected at all to the sixth seat, in view of the above provision.

The 10th respondent, in his counter statement, denies the various averments made in the petition for recrimination, in particular, it is denied that the petitioner in Election

Petition No. 1 of 1974 having secured no votes from the electorate and no votes competent to be transferred, will have to be eliminated from counting itself in the first instance. In short, according to this respondent, he is also a continuing candidate and merely because the petitioner in recrimination petition happens to be the candidate who secured the next highest number of votes, he cannot be declared to be elected in the event of the election of the 10th respondent being set aside.

On these pleadings, the following issues were framed for trial :

- (1) Whether election petition is liable to be dismissed under Section 86 of the Representation of the People Act, 1951 ?
- (2) Whether Annexures I to VII are liable to be struck out for the reasons mentioned in paragraphs 28 and 29 of the counter-statement ?
- (3) Whether the 10th respondent had not completed 30 years of age as required by Article 84(b) of the Constitution on the date of Scrutiny of the nominations, namely, 12-3-1974 ?
- (4) Whether the election of the 10th respondent is liable to be declared void under Section 100(1)(a) or 100(1)(d)(i) or 100(1)(d)(iv) of the Representation of the People Act, 1951 ?
- (5) Whether this Court has jurisdiction to enquire into the correctness or otherwise of the amendment made, on the application of the 10th respondent, to the 1971 North Madras Parliamentary Constituency Electoral Roll; if it has jurisdiction, whether the said amendment is void ?
- (6) Whether Section 101 of the Representation of the People Act, 1951, applies to an election held to the Council of States under Article 80(4) of the Constitution; if it applies, whether the election petitioner is entitled to a declaration that he himself has been duly elected ?
- (7) Is the Petitioner precluded from raising the question of the 10th respondent's age and his not being qualified under Section 84(b) of the Constitution in the Election Petition, by reason of his not having raised any objection at the time of the scrutiny of his nomination ?
- (8) In the event of the election of 10th respondent being declared void, as claimed in the Election Petition, does Rule 81(2) of the Conduct of Elections Rules, 1961, as to the filling of the last vacancy at the end of the counting of votes, apply to the facts and circumstances of this case ?
- (9) Whether the 7th respondent is entitled to a declaration as claimed by him, in the event of the 10th respondent's election being set aside ?

Election Petition No. 2 of 1974:

As I said above, identical allegations have been made in this Election Petition, excepting a further allegation that the records of Baptism and Marriage Register, maintained by the respective Churches, would also disclose the date of birth as 14-5-1946.

A counter-statement by the 7th respondent (Petitioner in Election Petition No. 1 of 1974) has been filed and it is not necessary to set out the contents of the same.

The 10th respondent has filed a counter-statement on similar lines as in the previous election petition and concerning the records of Baptism and Marriage Register the stand of the respondent is that he is not aware of the entries made therein, since he did not furnish any particulars for the purpose of such records. Any entry, which is inconsistent with his real date of birth, namely 14-5-1943, is denied.

On these pleadings, the following issues have been framed for trial :

- (1) Whether the Election Petition is liable to be dismissed under Section 86 of the Representation of the People Act, 1951 ?

- (2) Whether Annexures I to XII are liable to be struck out for the reasons mentioned in paragraph 40 of the counter-statement ?
- (3) Whether the 10th respondent had not completed 30 years of age as required by Article 84 (b) of the Constitution on the date of scrutiny of the nominations, namely, 12-3-1974 ?
- (4) Whether the election of the 10th respondent is liable to be declared void under Section 100(1)(a) or 100(1)(d)(i) or 100(1)(d)(iv) of the Representation of the People Act, 1951 ?
- (5) Whether this Court has jurisdiction to enquire into the correctness or otherwise of the amendment made, on the application of the 10th respondent, to the 1971 North Madras Parliamentary Constituency Electoral Roll; if it has jurisdiction, whether the said amendment is void ?
- (6) Whether Section 101 of the Representation of the People Act, 1951, applies to an election held to the Council of States under Article 80(4) of the Constitution; if it applies, whether the election petitioner is entitled to a declaration that he himself has been duly elected ?
- (7) Whether paragraphs 35, 36(d) and 36(f) of the Election Petition are liable to be struck out on the ground that the allegations made therein do not constitute a corrupt practice, as defined under Section 123 of the Representation of the People Act, 1951 ?
- (8) Whether paragraph 36(d) is liable to be struck out on the ground that the allegations of corrupt practice made therein are not supported by an affidavit as required under Section 83 of the Representation of the People Act, 1951, read with Rule 94-A of the Conduct of Elections Rules, 1961 ?
- (9) Whether the 10th respondent is guilty of any corrupt practice as defined in Section 123 of the Representation of the People Act, 1951 ?
- (10) Is the petitioner precluded from raising the question of the 10th respondent's age and his not being qualified under Section 84(b) of the Constitution in the Election Petition, by reason of his not having raised any objection at the time of the scrutiny of his nomination ?
- (11) Whether the 10th respondent has made a false declaration before the Electoral Registration Officer and if so, whether this Court can enquire into the same, what is the effect of such a false declaration if any on the present election ?
- (12) Whether in the absence of a recrimination petition under Section 97, is it open to either the 10th respondent or the 7th respondent to give evidence that the election of the petitioner would have been void, if he had been the returned candidate ?

In the respective election petitions, the petitioners will be referred to as the petitioner and the 10th respondent, whose election is sought to be impugned, will be referred to as the respondent.

Exhibits P-1 to P-90 have been marked on the side of the Petitioner and Exhibits R-1 to R-8 have been marked on the side of the respondent. In addition to the above, Exhibits C-1 to C-5 have been marked.

Most of the documents were marked by consent. But some of the documents were given serial numbers and were marked subject to proof and admissibility, in order to facilitate speedy trial, and later on when the concerned witnesses came, they were put to them and were included in the list of exhibits. The reason why I am stating this, is concerning one of the Exhibits, viz Exhibit P. 29, an argument was sought to be raised by Mr. K. K. Venugopal, learned counsel for the 10th respondent, that the procedure adopted in marking the documents in the above manner

does not conform to the strict principles of law and it has been the subject matter of comment in one or two decisions of this Court. But he at once hastened to add, not that he was now objecting to the same but only was pointing out that if he had raised the objections at the time of giving the serial numbers to the documents, certainly it would not have been done so. But, in so far as he had himself consented to this procedure for facilitating easy and speedy trial, he was waiving every objection. Indeed he was fair enough to state that the waiver may be recorded.

As regards the oral evidence, the petitioner in Election Petition No 1 of 1974 did not let in any oral evidence at all and he was rest content in relying on the oral evidence let in by the petitioner in Election Petition No 2 of 1974. The learned counsel for the petitioner in Election Petition No 1, stated before the trial commenced that the said oral evidence could be treated as common to both the election petitions.

On the side of the petitioner, PWs 1 to 21 have been examined, while on the side of the respondent RWs 1 to 5 have been examined.

Issues 3 and 7 in Election Petition No 1 of 1974 and Issues 3 and 10 in Election Petition No 2 of 1974. Before I deal with the various issues the well-known principles in deciding election matters may be set out and I do not think, there is any necessity to refer to the authorities in support of the same. An election petition is not an action at law or a suit in equity, but is purely a statutory proceeding in which the requirement of election law has to be strictly observed. It is a sound principle of justice that the success of a candidate, who has won at an election, should not be lightly interfered with and any petition seeking such interference must strictly conform to the requirements of law. But at the same time it has to be remembered that the policy of election law is to maintain the purity of elections and hence all the allegations of malpractices including corrupt practices at the time of elections should be thoroughly investigated.

Mr T N C Srinivasavaradachari, appearing for the petitioner in Election Petition No 1 of 1974, submits, the main question in this case is whether the respondent was not of 30 years of age on the date of the scrutiny of nominations, as required under Article 84 (b) of the Constitution, read with section 36(2) of the Representation of the people Act, 1951. The question of improper acceptance of nomination does not arise whether the nomination of the returned candidate is void. Hence it is Section 100(1)(a) or Section 100(1)(d)(iv), particularly the non-compliance with the provisions of the Constitution that would apply, that is, on the date of his election, and the date of election being the date of declaration by the Returning Officer, the respondent was disqualified.

The question relating to age is one of fact and it can be easily decided in this case that the date of birth of the respondent is 14th May, 1946, or at any rate, the year of birth is 1946 and there are very many admissions by the respondent himself which are substantial evidence in view of sections 17 and 21 of the Evidence Act, though they may not be conclusive, and it is the best evidence that the petitioner could rely on. There are signed declarations in several exhibits which would constitute admissions, namely —

- (1) Exhibits P 7—the application of the respondent for the Pre University Examination,
- (2) Exhibit P 9—the application for the B A Examination,
- (3) Exhibit P 14—Application for admission into the Law College;
- (4) Exhibit P 15—application for the first B G L Examination,
- (5) Exhibit P 17—application for admission into the Law College,
- (6) Exhibit P 18—application for second B G I Examination April 1972
- (7) Exhibit P 19—application for Second B G L Examination, October 1972
- (8) Exhibit P 21—application for admission into the Law College

(9) Exhibit P 22—application for B L Examination,

(10) Exhibits P 23(a), (b) and (c)—applications for enrolment as Advocate of the Bar Council of Tamil Nadu

(11) Exhibit P 27—Voters card filled up by the respondent for the preparation of electoral rolls, and particularly the declaration contained thereunder

All the above documents were marked by consent, and therefore, no objection could be taken to any one of them. In addition to the above, there are school records and S S L C Certificate, and all of them being ante litem motam, should be given their full credit and value. All these records being public records, the entries therein cannot be disputed, especially the Bar Council Record is of great value, since, when the respondent who was entering a noble profession, he should have verified as to the correctness of those entries and would not have lightly given a declaration. The later attempt to explain that the respondent was baptised on 14-5-1943 by letting in oral evidence and producing Exhibit R 4 in support of the contention, cannot be accepted as against this value of documentary evidence.

The Birth Register for the year 1943 was summoned in order to test the veracity of the statement of the respondent that he was born on 14-5-1943 and the said Register does not contain any entry relating to the respondent while the Birth Register for the year 1946, in spite of the various attempts by the petitioner to obtain, has not been forthcoming. Every possible step has been taken to secure the best evidence and as seen from the various correspondence, no effort is lacking on the part of the petitioner.

The oral evidence of Rev F. Rosario, RW 2, who speaks as to the baptism of the respondent, said to have been done in the year 1943, cannot be accepted at all for two reasons—firstly in that he is highly interested, he came from Tuticorin to Madras along with RW 3 the elder brother of the respondent, and secondly, there is no contemporaneous record to prove the same, and Exhibit R 4, the so-called Baptism Register, admittedly is not the original and therefore cannot be relied upon.

The evidence of RW 5 is unworthy of acceptance. He has no regard for truth and he goes to the extent of saying that he burnt the original Baptism Register in December 1972. If this oral evidence and the documentary evidence Exhibit R 4, is excluded, there is absolutely no evidence to rebut the evidence afforded by the series of various public documents which are obtained by the petitioner after great efforts and therefore the case of the petitioner has to be accepted. This apart, the conduct of the respondent in having the electoral roll amended again would prove his eagerness to qualify himself, which qualification otherwise he did not possess, and in any event, the same is not conclusive on the question of age. As seen from paragraph 3 of the counterstatement, the very idea to contest for the election arose only in February, 1974, and with that object in view, a copy of the extract from Exhibit R 4 has been obtained, which is against all other public records. This is also corroborated by the oral evidence let in on the side of the respondent. RW 1 the respondent, admits that by the end of February, 1974 he went to his village and when he contacted his brother, he told him that he was born in the year 1943, the same could be verified from the records maintained in the local church. No reason has been given as to why such a verification became necessary. Finally, it is submitted that the counter-statement is not a frank pleading.

Mr R. Parthasarathi, learned counsel for the petitioner in Election Petition No 2 of 1974 adopting the above arguments, makes the following further submissions with a pre-plan the respondent has set about the correction to the electoral roll so that the said copy could be produced before the Returning Officer, on the basis of which he could get his nomination accepted. The curious feature of the case is, to obtain a certified copy of the corrected electoral roll, not even a copy application was filed and yet the extract of the electoral roll is furnished to the respondent. If the evidence of PW 18 is referred to it would clearly show how surreptitiously without any documentary proof therefor the age has been altered, though the request of the respondent was only for a change of the name. This would show

that P.W. 18 would go to any extent to help the respondent. But for this corrected electoral roll, the respondent could not have filed his nomination. Though he has succeeded before the Returning Officer by making him accept his nomination with this corrected electoral roll, this Court is not precluded from going into the same and the purity of election will have to be maintained at all costs.

Exhibit R. 4 was not even put to R.W. 2 in the chief examination, and ultimately it fell to the lot of the Court to elicit from him whether that was the original of the Baptism Register, and being a true Christian, R.W. 2 obliged to accept that it was not the original but it was re-written, though he was highly interested in helping the respondent. His interestedness in the respondent is evident from the fact that he came from Tuticorin to Madras alongwith R.W. 3, the elder brother of the respondent and was staying with him, and above all, the telegram addressed to R.W. 2, requiring him to come and give evidence in this case is produced by R.W. 3, the elder brother of the respondent, from his pocket.

The evidence of the R.W. 5 is unworthy of acceptance and the least that is said about him the better. He committed "an unholy Act" by burning the original of the Baptism Register while the Canon Law requires him to preserve the same.

In meeting these arguments, Mr. K. K. Venugopal, learned counsel for the respondent, makes the following submissions:

(1) It is possible for the petitioner to have let in direct evidence by summoning persons from the village or some relations when the event, namely the birth of the respondent, had taken place only about 30 years ago, and inasmuch as the same has not been let in, the best evidence has not been adduced.

(2) It is the categoric stand of the respondent, as seen from paragraph 3 of the counter-statement, that it was only for the first time in February, 1974, on verification he became aware of the fact that his correct date of birth was 14-5-1943. Up till then, all along, he was under the genuine impression that the date of birth given in his S.S.L.C. book was the correct date. This, taken together with the other statements in paragraphs 16 to 18 of his counter-statement in Election Petition 1 of 1974, would clearly show that the mistake in age was carried forward, from one register to another.

(3) The school records and the college records, in order that they may be admissible under Section 35 of the Evidence Act, (i) should have been maintained by a public servant or by a person statutorily authorised to maintain such records, and (ii) the circumstances under which such an entry came to be made and the source of information for making such an entry should be given and in so far as the same has not been done, they are of no evidentiary value at all. The school that maintained Exhibits like P. 80 and P. 81, admittedly is a private school and there was no statutory duty to maintain them; therefore they cannot be relied on, as has been held in *Gopalan v. Kannan* (14 F.L.R. 458). This apart, the circumstances under which the entry relating to the date of birth of the respondent came to be entered, or the person who gave the information, has not been examined, since the application form for admission, which would have furnished the source of information, is not available. P.W. 8, the Headmaster of the S. Marys Elementary School, admits that he did not maintain Exhibit P. 80. Nor does he have any personal knowledge as to how and when those entries were made. It is further admitted by him that he is not aware of the fact as to who made an application for admission into the First Class. In a similar case reported in *N. Sankara Reddy v. Yashoda Reddy* (13 E.L.R. 34) it was held that in the absence of the source of information, the school register should not be relied on and the said decision fully supports his submission.

(4) Since this mistaken date of birth came to be entered in the S.S.L. Certificate and College Records and Bar Council records, their probative value is little, though they may be public records.

(5) The Marriage Register, Exhibit P. 29, was summoned to be produced in Application No. 2095 of 1974 and that mentions Rev. Fr. N. A. Joseph or Rev. Fr. Swami. But neither has been examined to prove the contents of these documents. Nor did they produce the same, but it was produced by another person. Besides, it is the signature of R.W. 3 alone that was marked and in so far as the other entries have not been marked, they cannot be looked into, especially the date of Baptism. If the petitioner was keen on relying on this document, he should have proved the same by letting in evidence as to who made the various entries, more so, when an objection was raised to its admissibility and the persons who could have proved these entries were available. In elaborating this submission, it is contended that in so far as Exhibit P. 29(a), the signature alone has been marked, it should be held that the signature has been proved. In such a case, the ratio laid down in *Madholai Singhu v. Asian Assurance Co Ltd.*, and others (A.I.R. 1954, Bombay, 305) and *Asa Ram v. Emperor* (A.I.R. 1933, Allahabad, 593) would apply. The probative value of the marriage Register concerning the entry relating to baptism is limited, since the object of maintaining the Register is the registration of marriage and not baptism, and whatever is not required to be filled will not be relevant under Section 35 of the Evidence Act. G.O. No. 40, Ecclesiastical, dated 30th June, 1924, as seen from the Appendix set out at page 864 of the Gazette, does not contain any column relating to baptism and if that was so, the same was not required to be filled up, and any form which does not conform to the statute cannot be relied upon. *Nagavassami Naidu and others v. Kochadai Naidu and others* (A.I.R. 1969, Madras, 329) is an authority for this proposition. Likewise, the decision reported in *Maniklal Shah v. Hiralal Show* (A.I.R. 1950, Calcutta, 377). Moreover, as admitted by the petitioner himself, this is an altered entry, which is seen by a mere look at the entry, and the Petitioner should have explained the circumstances under which the alteration came to be effected, and in this view also the non-examination of the persons who were in charge of maintaining these records and registers becomes very vital.

(6) Though the Birth Register for the year 1943 has been summoned, it can be relied on only if it contains an entry relating to the date of birth, since the absence of an entry cannot be relied on. It has been repeatedly held so in many cases and two of them would be sufficient for this purpose, viz., *The Queen Empress v. Gress Chunder Banerjee* (I.L.R. 10, Calcutta, 1024) and *Ali Nasir Khan v. Manik Chand* and another (I.L.R. 25, Allahabad, 90 at 100). Nor can it be concluded that merely because there is no entry in the 1943 register that the respondent was not born in 1943, since there is every likelihood of the birth not having been reported at all and the admission of P.W. 13, the Sub-Registrar, would show that the Village Munsif fills up the Register only if births and deaths are reported. The non-availability of the 1946 Register does not in any manner affect his case.

(7) Exhibit P. 28 cannot be pressed into service against the respondent, since the case of the respondent is, he did not supply the information relating to the birth to be incorporated in the biographical sketch. The evidence of R.W. 4 is specific in that the respondent found fault with R.W. 4 for having published the wrong month. This evidence is consistent with the case of the respondent, as set out in paragraph 3 of his counter-statement that all the while he was labouring under the misapprehension that his date of birth was only 14-5-1946, unaware of the real date of birth, which is 14-5-1943. It is not uncommon in this country to give wrong dates of birth and that is why in the State and Subordinate Services Rules, Rule 49(b) specifically provides for the procedure for the alteration. Likewise, Rule 145(3) of the Railway Establishment Code, Vol. I, also enables a railway servant to have his date of birth altered. As laid down in *Brij Mohan Singh v. Priya Brat Narain Sinha and others* (i) A.I.R. 1965 (SC) 282, the present case should be viewed in that background. If the mistaken date was carried forward, as spoken to by R.W. 1 from one record to another, it cannot be contended that these records should be accepted, on the contrary they have little evidentiary value.

(8) In the instant case there is clear oral evidence of R.W. 2 that the Respondent was baptised in the year 1943 and he was an infant, one week old. He speaks from out of his memory about this baptism, since his father was a catechist

and the family is a prominent one and every man remembers important events in his life and this being an important event, he happens to remember. There is no reason as to why his evidence should be rejected and the so-called interestedness cannot be shown when he is a person associated with the Church and it is established that he was the only Parish Priest in the crucial year, namely, 1943.

(9) The failure on the part of the Petitioner to examine Rev. Fr. Kagoo, who, according to the Petitioner, baptised the Respondent in the year 1946 calls for serious comments. Even though Rev. Fr. Kagoo was not well enough to attend the Court, the Petitioner ought to have at least taken steps to examine him on commission and the failure to do so would give a direct lie to the case of the petitioner that he was baptised only in the year 1946.

From all these it could be safely concluded that the heavy burden on the petitioner that the Respondent was disqualified, not having completed the age of 30 on the date of scrutiny of the nominations, has not been discharged at all, more so, when the source of information of the original date of birth is not known, which wrong date has been carried forward in all the subsequent records till the Respondent came to be aware of his correct date of birth in February, 1974.

I will now proceed to deal with the merits of the respective contentions. Since more than the oral evidence it is the documentary evidence that has a great bearing on these issues, they may be taken up first. I may also add that in view of the large volume of the documents, it is idle to contend that the petitioner ought to have let in oral evidence by examining the villagers or relatives, who could have spoken directly from their knowledge.

School Records :

(i) Exhibit P. 80: This is the register of admission and withdrawal from the year 1948 of R.C. St. Mary's School, Ovari, which was produced by the Headmaster, P. W. 8. These records being official records, would be normally admissible in evidence, but according to Mr. Venugopal, the learned counsel for the Respondent, they are inadmissible for two reasons. Firstly the school, viz. R. C. Mary's School Ovari, is admittedly a private School and there was no statutory authority for the school to maintain the admission register. Secondly, the application form for admission into the School has not been produced, in the absence of which it is not possible to prove whether the correct date has been given, while in all probability, a lower age might have been given, as it is not uncommon in this country to give the lower age at the time of entering the school. He relies upon certain decisions in respect of the above submissions and I will consider each one of them. In *Gopalan v. Kannan* (1) 14 E.L.R. 458—concerning an admission register of a private aided school, it was held—

"The rules for recognition and rules for aid, contained in G. O. No. 1903 of the Madras Government, dated the 21st August, 1939, under which admission registers are kept by private aided schools, have not been previously published as required by Section 56 of the Madras Elementary Education Act, 1920, and the G.O. does not give any indication that the rules were framed in the exercise of any statutory power by the Government of Madras. These rules are not therefore, statutory rules and cannot be regarded as 'law' within the meaning of Section 35 of the Indian Evidence Act. Entries in the admission registers of private aided schools kept under these rules, are therefore, neither entries made by public servants in the discharge of duty nor are they made in performance specially enjoined by the 'the law' of the country, and as such section 35 of the Evidence Act is not applicable to them. and they are not relevant facts."

Again, it is stated in *Re Sitam Reddi* (1) A.I.R. 1960 Andhra Pradesh 253, at page 256 that where the entries were made by employers, not of a private school but of a Municipal High School under Rule 52 of the Madras Educational Rules, every school is required to keep a Register of Admissions, and therefore it is an official register and the same would be admissible under Section 35 of the Evidence Act. In *Regina v. St. Aloysius Higher Elementary School*

(1) A.I.R. 1971 (SC) 1920 it was held that the provisions for recognition or aid to private schools are not statutory rules so as to control the relations between the Management of the Schools and its teachers. On this basis it is contended that even if this private school has been receiving aid from the Government of Tamil Nadu, that would not mean they were clothed with the necessary statutory authority to maintain a register. I am unable to agree with the above submissions. Though the school is not a public school, it has been enjoyed statutorily to maintain these records. That would be evidence from the following notification and the provisions of Tamil Nadu Elementary Education Act (Tamil Nadu Act VIII of 1920). The effect of Notification is to make elementary education compulsory. The Notification embodies in G.O. Ms. No. 2009, Education, dated 15th September, 1947, published in Part 1-B of the Fort St. George Gazette dated 30th September, 1947 (Notification No. 244) runs as follows:—

Fort St. George Gazette Part 1-B dated September 30, 1947.

464 Education Department.

Introduction of compulsory elementary education
Certain villages in Tinnevely District.

(G.O.Ms. No. 2009, Education, 15th September, 1947).
No. 244.

Under Section 46 of the Madras Elementary Education Act, 1920 (Madras Act VIII of 1920), His Excellency the Governor of Madras hereby notifies the resolution of the District Board, Tinnevely, specified in the schedule below, which has been accepted by the Government of Madras under Section 45(2) of the said Act, and directs that the provisions of Sections 47 to 51 (both inclusive) of the said Act, shall come into force within the areas to which the said resolution applied with effect on and from the 15th October, 1947:—

SCHEDULE

Resolution of the District Board, Tinnevely, regarding the introduction of compulsory elementary education in certain villages in the district.

Resolution No. 1 dated 19th August, 1947.

Resolved that elementary education be made compulsory for all children of school age in the following villages:—

Name of centre (including hamlet)	Revenue village.
* * *	*
17. Kariasuthu Ovari—Kundal, Karikoil and Ovariparuvakudi	Revenue Village.
18. Kuttam—Ellajunai, Thorpuvhillai, Valluvanvilai, Kunjavilal, Kuduthavilai, Vemmanangudi, Chinnathalai and Ovari.	

In Nanguneri Taluk of Tirunelveli District occurs the village Ovari. The result of this will be, the school R.C. St. Mary's school, Ovari, is enjoined under that statute to maintain such of these records which are required under the rules.

Rule 3 made under Section 44 of Act VIII of 19-20 reads as follows :—

"No pupil shall be newly admitted except on an application made in the form in Appendix 2 which must be signed by his guardian. All such applications shall be filed separately in the records of the school."

This would obviously mean that an application form for admission in the school should have been made by the parent or guardian of the Respondent. That form is set out in Appendix 2 and column 4 relates to the 'date of birth'. It contains a statement "I certify that the information given above is correct". Necessarily therefore, the entries in Exhibit P.80(a) had come to be made on the basis of the information furnished in the application. In spite of all the best efforts of the petitioner to secure this application form

for admission, the same has not been forthcoming. Therefore, it cannot be contended that the failure to produce the said application form would have the effect of rendering the entries in the admission register unacceptable. Summons was taken out in Application No 1891 of 1974 to produce the application form and the admission register, but one of them viz., the admission register alone has been produced. PW 8, the present Headmaster of the elementary school, Overit states in answer to one of my questions that the application for admission is not available. He further states that the register, Exhibit P 8, is one of the form maintained under the Educational Rules prescribed by the Government. This would necessarily mean Rule 3 set out above. It is further stated by PW 8 that under Exhibit P 80(b) and (c), the signatures of the Deputy Inspectors of Schools, are found in token of having checked and inspected these entries.

(ii) Exhibit P 81 —Rule 5 framed under Section 44 states —

"A school record sheet shall be maintained for each pupil in the school by the Headmaster in the form in Appendix 3"

Appendix 3 set out the form relating to the Record sheet. There is a column relating to date of birth and clause (i) states: "The date of birth should be taken from the application for admission." Clause (iv) constitutes interesting reading and it is as follows

"(iv) The Deputy Inspector of Schools should sign in the remarks column whenever he scrutinises the record sheet. The headmaster should also sign in the remarks column in token of the correctness of the entries made in his school when the record sheet is transferred to the Headmaster of another school"

Exhibit P 81 is the record sheet maintained under Rule 5 and it has been signed by the Headmaster. Both the above records contain the date of birth of the Respondent as 14-5-1946. These entries are, therefore, made by persons in the performance of duty specially enjoined by law and these two would constitute official registers within the meaning of Section 35 of the Evidence Act. The decision in *Gopalan v Kannan* (1) 14 F.L.R. 458 at page 463 relates to a case where it was found that there was no statutory authority at all, since the law which enjoined the keeping of the admission register was G.O. No 1903, Education, dated 21st August, 1939, which did not have the force of a statute. This is because the rules for recognition and aid under which the said G.O. was issued were themselves merely administrative instructions. From this point of view the decision in *Inre Sram Reddi* (1) A.I.R. 1960 (A.P.) 253 at 256 at page 256 is of little assistance to the Respondent. Again the decision in *Kumari Regina v St. A. Loysius Higher Elementary School* (2) A.I.R. 1971 (S.C.) 1920 has no bearing on this issue since that related to the rules relating to recognition and aid which were held to be non-statutory in character. In the instant case the rules made under the Elementary Education Act require the maintenance of the admission register much more so, the record sheet.

N. Shankara Reddi v Yashoda Reddi (3) 13 E.L.R. 34 is more or less a similar case in which also the question arose whether the respondent had completed the age of 30 to qualify herself to be elected as a member of the Rajya Sabha. In dealing with similar records the Election Tribunal said—

"These entries in the admission registers of the various educational institutions in which the 1st respondent studied constitute the only tangible evidence adduced on behalf of the petitioner. As they are entries made by public servants in discharge of their official duties in the official registers they are certainly relevant within the meaning of section 35 of the Indian Evidence Act. They are admissible in evidence to prove the truth of the facts entered as well as the fact that the entries were made by the particular officers. There is a presumption that when a pupil is admitted into the school he was accompanied by some close relative of his who

must have been aware of his age. It is on the strength of this presumption that an entry regarding the age of a particular pupil in the school Register is held admissible. See *B. Kalaiam S. Bhag Singh v Fazal Bari Khan and Others* (A.I.R. 1941 Peshawar 38—194 I.C. 824). But in this case we are in the dark as to the persons who caused the entries to be made. The entries in the admission registers of the Queen Mary's College and the Law College must obviously have been based upon the entry in the admission register of the Middle School at Cuddapah. The petitioner ought to have summoned for the application made on behalf of the 1st Respondent for admission into that institution. This register by itself does not show who it was that got the 1st respondent admitted into that institution. The mere entry of the date of birth in the records of educational institutions does not seem to be sufficient, especially where the source of information with regard to the date of birth is not known. It has been laid down by the Calcutta High Court in *Rajah Janaki Nath Roy & Others v Jyotish Chandra Acharya Chowdhry* (A.I.R. 1941 Cal. 41 I.L.R. 1941 Cal. 234) that the statement in the school register about the age of a person, in the absence of evidence to show on what materials the entry in the register about the age of that person was made, has not much evidentiary value. This principle was followed by the Punjab High Court in *Jagannath v Motiram and Others* (A.I.R. 1951 Pun. 377). As has been observed by the Lahore High Court in *Mohammad Hassan Safdar Mirza and Others* (A.I.R. 1933 Lah. 601—144 I.C. 45) it is very common to make out a person entering into a school to be younger in age than he is and as such the mere entry of the date in the records of educational institutions is not sufficient to rebut the very strong evidence afforded by a birth register. The same High Court held in *Asa Nand v. Gian Chand* (A.I.R. 1936 Lah. 508; 1964 I.C. 731) that entries in school registers are of little value as evidence of age."

It may be noted that in that case the question arose whether the birth register, which is an official register kept by a public servant in the discharge of his official duties should be preferred to a school register. In that connection it was stated that the mere entry of date of birth in the records of educational institutions would not seem to be sufficient, especially where the source of information with regard to the date of birth is not known. It was also commented upon saying "The petitioner ought to have summoned for the application made on behalf of the first Respondent for admission into institution. The register by itself does not show who it was that got the first respondent admitted into that institution." In the present case, as I have observed earlier, Application No 1891 of 1974 was taken out for the production of the application form for admission into the school. But PW 8 in more than one place says that it is not available. So, what is it that the petitioner could do about it? If the application form had been produced the source of information could have been easily verified. But for some strange reasons it is stated that the application form is not available. In such a case one is entitled to draw the presumption that the admission register was based upon the information furnished in the application form for admission. There is nothing on record to show that the correct date of birth was not supplied and it cannot be said that the admission was made with the possible motive for incorrect statement. The submission of the respondent that it is not uncommon in this country to give lower age is too broad a statement to warrant acceptance and absolutely no evidence, either oral or documentary has been let in to show that Lower age was given. Neither the respondent (R.W. 1) for his elder brother (R.W. 3) has stated so in their oral testimony.

Nor again am I impressed with the argument that merely because Section 49(b) of the State and Subordinate Service Rules or rule 145 of the Railway Establishment Code, Vol. I, provide for alteration of date of birth, in every case it must be presumed that a wrong age has been given. Each case will depend upon the facts and circumstances which are peculiar to itself.

(iii) Exhibits P. 1 to P. 3) Exhibit P-1 is the admission register of St. Xavier's College School, Palayamcottai, Entry

No. 4462 relates to the respondent. That contains the date of birth as 14-5-1946. In the column "Whether an E.S.L.C. (Col. 8)" it is stated 'E.S.L.C./34833'. The said E.S.L.C. has been marked as Exhibit P-2. That again contains the date of birth as 14th of May, 1946, while the admission to St. Xavier's School, Palayamcottai, itself is based on the application for admission, Exhibit P-3. It is important to note that it is a form prescribed under G.O. Ms. No. 2513, Education, dated 8th September, 1950. Column 2 relates to date of birth. That states 14th of May, 1946, Exhibit P-3 has been signed by the guardian (whose name I am not able to make out) and the declaration therein is as follows: I declare that the statement is correct". Even assuming that Exhibits P-80 and P-81 are not admissible in evidence, the three documents exhibits P-1 to P-3, are of great evidentiary value, since they are public documents, especially Exhibit P-2, the E.S.L.C., and P.W. 20, P.V. Abbu Pillai, in the Secretary to the Commissioner for Government Examinations, and he says that Exhibit P-2 has been signed by Rama Prabhu, the then Secretary, and the certificate has been issued under the authority of the Government.

(iv) Exhibit P-4, Secondary School Leaving Certificate and Exhibit P-50, the copy of the Gazette. Next comes Exhibit P-4, that S.S.L.C. book. This has been produced by the respondent and has been marked by consent. This contains the date of birth as 14-5-1946. In my view this is of the highest evidentiary value. Exhibit P-50 is the copy of the Fort St. George Gazette dated 19th February, 1964. At page 379, the entry relating to the respondent is found. There again the date of birth is noted as 14-5-1946. This document is undoubtedly admissible and the genuineness of this document cannot be questioned in view of Section 81 of the Evidence Act. Subsidiary Rule 5 of the Rules framed by the S.S.L.C. Board with the approval of the Government, reads as follows :

"When the Secondary School Leaving Certificate is opened on behalf of the pupil care should be taken to ascertain the correct date of birth and enter that date in the Secondary School Leaving Certificate".

Therefore, as enjoined under this rule, care has been taken to enter the correct date of birth. The S.S.L.C., coupled with the Gazette publication Exhibit P-50, concludes the issue relating to the date of birth of the respondent against him.

College Records.—Exhibit P-5 is the transfer certificate issue from the St. Xavier High School and P.W. 7 states that this certificate is one prescribed under the Educational Rules. Exhibit P-5 shows that the certificate has been recognised under the Madras Educational Rules. This was produced at the time of the respondent joining the St. Xavier's College, Palayamcottai, on the basis of which Exhibit P-6, the admission register, comes to be maintained by the College in the routine course of administration. Exhibit P-7, the application form of examination for the Pre-University Class, has been signed by the respondent and the same has been marked by consent and the same is spoken to by P.W. 5. Exhibit P-8 is the admission register spoken to by P.W. 9. Exhibit P-9 is the application form for examination for the B.A. Degree signed by the respondent, marked by consent and spoken to by the Registrar of the University of Madras, P.W. 5. Exhibit P-10 is the transfer certificate, marked by consent and spoken to by the Principal of St. Xavier's College, Palayamcottai, P.W. 9. Then Exhibit P-13 is the admission register for joining the first year BGL Spoken to by the Director of Legal Studies, P.W. 6, marked by consent. Likewise, Exhibit P-15 is the application for admission, signed by the respondent. Exhibit P-14 is the application for examination signed by the respondent, marked by consent and spoken to by the Registrar of the Madras University, P.W. 5. Exhibit P-16 is the admission register for the second year BGL. Class marked by consent and spoken to by P.W. 6. Exhibit P-17 is the application for admission for the second year B.G.L. Class signed by the respondent, marked by consent and spoken to by P.W. 6. Exhibit P-18 is the application for the second B.G.L. Examination, April 1972, marked by consent and spoken to by P.W. 5. Exhibit P-19 is the application for the second S.G.L. Examination, October, 1972, signed by the respondent, marked by consent and spoken to by the Registrar, P.W. 5. Exhibit P-20 is the admission register for the B.L. Class, marked by consent and spoken to by P.W. 6. Exhibit P-21 is the application for ad-

mission to B.L. Class signed by the respondent, marked by consent and spoken to by P.W. 6, the Director of Legal Studies. Exhibit P-22 is the application for B.L. Degree Examination, signed by the respondent, marked by consent and spoken to by P.W. 5 the Registrar of the University. All these documents are public documents maintained in the discharge of official studies and they are admissible under Section 35 of the Evidence Act. I have not been shown any reason to reject them.

Bar Council Records.—Exhibit P-23 is the application of the respondent before the Bar Council. Column 4 of Exhibit P-23 states : "what is your (a) age and (b) date of birth?" The entry by the respondent reads "27 years" as against column (a) and "14-5-1946" as against column (b). As against the column "Proof of date of birth—S.S.L.C. Book to be produced" it is stated "S.S.L.C. Produced". The declaration underneath the form says, "I declare that the facts stated above are true to my knowledge". Exhibit P-23(b) is the S.S.L.C. extract submitted along with the application. Exhibit P-23, which has also been signed by the respondent on 23-7-1973. These documents were marked by consent and have been spoken to by P.W. 4, the Secretary of the Bar Council. This is a statutory form, on the basis of which he has been enrolled as an Advocate under the Advocate Act. This is one of the important pieces of evidence which clearly establishes the date of birth of the respondent as 14-5-1946 and it has great evidentiary value.

Exhibit P-27 is the Voters Card and under Exhibit P-27 (b) a declaration has been signed by the respondent as the head of the family mentioning his age as 28 years. The said document has also been marked by consent and spoken to by the Electoral Registration Officer P.W. 18.

Book—"Sila Uratha Sinthanaigal".—Exhibit P-87 is a book written by the respondent and it is admitted by him in evidence that he not only wrote this book but it has also been published by him. From the passage occurring at page 18 of this exhibit it can be gathered that the respondent was born in the year 1946 and this passage was specifically put to R.W. 1 (the respondent).

Many of the above documents contain signed declarations by the respondent and they will constitute admissions and they are substantial evidence in view of Sections 17 and 21 of the Evidence Act, though they may not be conclusive and the various decisions relied on by the petitioner fully support him. These documents are Exhibits P-7, P-9, P-14, P-15, P-17, P-18, P-19, P-21, P-22, P-23 (a), (b) and (c) and 27(a) and (b). In this category can also be included Exhibit P-87, though it does not contain a declaration, since it is admitted by R.W. 1 that the book was written and published by him. As rightly submitted on behalf of the petitioners the admission is the best evidence the opposite party can rely upon. In respect of this submission, the decision in *Chandra Kunwar v. Chaudhury Narpat Singh* (1) (I.L.R. 29 (Allahabad) 184) is cited before me. In that case the Privy Council has held at page 194:

"The proof of this admission shifts the burden because, as against the party making it, as Baron Parke says in *Saltter v. Pooley*—'what a party himself admits to be true may reasonably be presumed to be so'".

Another case cited in this behalf is *Narayan Bhagwantrao Goswami Balaiwale v. Gopal Vinayak Gosari and others* (1) (A.I.R. 1960 (SC) 100 = 1960 ISCR 773). At age 784 of the report. Their Lordships of the Supreme Court have held:

"An admission is the best evidence that an opposing party can rely upon and though not conclusive is decisive of the matter, unless successfully withdrawn or proved erroneous"

Lastly the decision in *Bharat Singh and others v. Mat. Bhagirathi*² (A.I.R. 1966 (SC) 405 at 410) is relied on.

"Admissions are substantial evidence by themselves in view of Sections 17 and 21 of the Indian Evidence Act, though they are not conclusive proof of the matters admitted."

These admissions can undoubtedly be used as against the respondent and in the absence of any evidence to the con-

trary, which is so in the present case, their evidentiary value is of the highest order. All that the respondent states with reference to these documents is that the mistake in the entry in the second register regarding the date of birth has been carried forward from one record to another, and any document which contains an entry relating to his date of birth other than 14-5-1943 is incorrect. A similar thing happened in *N. Sankara Reddi v. Yashoda Reddi* (1) (13 E.L.R. 34) also. In his submission, the case on hand should be viewed in the background of the decision reported in *Brij Mohan Singh v. Priya Brat Narain Singh and Others* (2) (A.I.R. 1965 (SC) 282), where also a wrong entry made in the admission register was carried over to the Matriculation certificate and the same was adhered to in the later records. I may at once point out that there is absolutely no foundation for this submission, since there is no pleading at all to the effect that the original entry in the school register was a wrong entry and the lower age was given or the academic age was purposefully minimised by the parents or guardian in order to gain some advantage for the student, namely the respondent. All that he states in paragraph 3 of his counter-statement in Election Petition No. 1 of 1974 is :

"3. This respondent submits that it was for the first time in February 1974, on verification, he became aware of the fact that his correct date of birth was 14-5-1943. Up till then, all along, he was under a genuine impression that the date of birth given in his S.S.L.C. Book was the correct date".

From this and the other statements made in paragraphs 16, 17 and 18 of the counterstatement in Election Petition No. 1 of 1974, Mr. Venugopal wants to contend that there are enough statements to base this submission. I am unable to agree. Apart from there being not a specific pleading, even in the evidence, neither the respondent (R.W. 1) nor his elder brother (R.W. 3) would say that the date of birth given at the time of the respondent's admission into the school was either wrong or incorrect. In *N. Sankara Reddi v. Yashoda Reddi* (1) (13 E.L.R. 34), no doubt the birth register was produced which was accepted. In the later part of my judgment I will show as to how evidence is lacking to hold against this admission, and in my view *N. Sankara Reddi v. Yashoda Reddi* (1) (13 E.L.R. 34) case has no application. In fact, R.W. 1 states as follows:—

"Q. After you passed the S.S.L.C. who furnished the age particulars to the College?

A. There was a certificate. From one certificate to another, it has been carried on throughout.

Q. Who has furnished the particulars to the Bar Council?

A. I furnished it.

Q. Based on what?

A. I furnished the particulars based on the first page of the S.S.L.C.

Q. Likewise in various other University Examination applications, you have furnished the particulars?

A. Yes. I furnished the particulars".

From the above evidence it is obvious that there is not even a suggestion that the entry was wrong. No explanation has been offered as to how and why such an incorrect entry has been given. Was it by mistakes, inadvertance or deliberate or designed? One is obliged to guess. "It is no function of a Judge to be lachrymose over what might have been brought in evidence. His function is to go by evidence that exists", in the words of Bijayesh Mukherji, J. (Vide *Babulall Choukhani V. Caltex (India) Ltd.* (1) (A.I.R. 1967 (Calcutta) 205). In the Supreme Court case relied upon, namely *Brij Mohan Singh v. Priya Brat Narain Sinha and Others* (2) [A.I.R. 1965 (S.C.) 282], the case of the appellant, as seen from paragraph 20, at page 287, is that date of birth, viz., October 15, 1937, was an incorrect statement made at the request of the person who went to get admitted to the school. The request was made to make him appear two years younger than he really was, so that later in life he would have an advantage when seeking public service for which a minimum age for eligibility is often prescribed. This

was accepted by the Election Tribunal which was rejected by the High Court as untrustworthy. Under those circumstances, their Lordships of the Supreme Court held:

"However much one may condemn such an act of making a false statement of age with a view to secure an advantage in getting public service, a judge of facts cannot ignore the position that in actual life this happens not infrequently. We find it impossible to say that the Election Tribunal was wrong in accepting the appellant's explanation. Taking all the circumstances into consideration. We are of opinion that the explanation might very well be true . . .".

I may now usefully refer to the decision reported in *Manohar Naik v. Binode Behari Bariha* (1) (23 E.L.R. 379), wherein—

"The first respondent's election was challenged on the ground, inter alia that his age was less than 25 years, at the time of election. The Tribunal, relying on the horoscope evidence as against the date of birth recorded in the School Certificate, held that the respondent was more than 25 years of age on the date of his election. In Appeal, it was held that there was no evidence on behalf of the respondent to negative the accuracy of the school age as representing the real age. The respondent had merely averred that the matriculation certificate could not be taken as conclusive proof of the fact in issue. Apart from the other evidence showing the genuineness of the entry of the age in the School Certificate the publication of the matriculation result with the age and description of the candidate is a fact of public nature. The court has to form an opinion as to the existence of this fact and the recital of age contained in the Orissa Gazette is a relevant fact. The Gazette itself is presumed to be genuine under s. 81 of the Evidence Act".

I may also take note of a similar contention advanced in this case, which was dealt with at page 286 in paragraph 15 :

"On the basis of A.I.R. 1941, Calcutta, 41, A.I.R. 1952, Punjab, 277, and 3 Elec. Law Reports, 31, Mr. Patnaik contents that the date of birth as entered in the school register of Kuchinda and as found in Ex. 14, though admissible, is not of great evidentiary value as there is no evidence to show as to on what materials this entry in the admission register about the age of respondent No. 1 was made. Even on such a proposition, appellant will succeed if there is evidence of some weight on his side and no evidence to the contrary on behalf of the respondent No. 1. . . . In A.I.R. 1957, Calcutta, 211 A.I.R. 1957, Kerala 103, and A.I.R. 1940, Nagpur, 217, it has been held that Matriculation Certificate and School admission register are admissible as proof of the age of the person concerned. In 1957, Kerala, 103, observation had gone to the extent that the entry thus made in official record by a public servant in discharge of his official duty has to be presumed as correct in the absence of other reliable evidence to the contrary".

These observations in my view, apply with full force to the facts of the present case.

T.E.L.C. Kabis High School Records : Exhibits P. 11 and P. 11 (a) and P. 12 and P. 12(a) are the record maintained by the T.E.L.C. Kabis High School and they have been spoken to by P. Ws. 11 and 12. P.W. 11 says that Exhibits P. 11 and P. 12 were prepared by the then Headmasters and he is familiar with the signatures of those Headmasters. Here again the date of birth is as contended by the petitioner.

Book—"Varalatil Kalaignar": Exhibit P. 28 is the book written by the respondent in which is contained a biographical sketch and the date of birth mentioned there is 14-10-1946. R.W. 4 is his evidence states that the particulars regarding this biographical sketch were given by the respondent and it was he who wrote down, and at the time the book was published, both R. W. 4 and the respondent went through, at which time respondent found fault with R.W. 4 went through the same and in reply told the respondent that he had taken down correctly what the respondent had directed. If the evi-

dence of R.W. 4 is accepted, it would be clear that the respondent was born in the year 1946 and I see no reason to hold otherwise, since it is the specific statement of R.W. 4 that he had taken down the same to the dictation of the respondent.

Marriage Register.—Exhibit P. 29 is the Marriage Register. On this a good deal of argument has been advanced. That contains in the column 'Age' as against the name of the respondent '26 years' and the date of baptism is given as '19-10-1946'. Even for an ordinary perusal the overwritings of these entries are seen. But the attack is not because of that. On the contrary, it is said this document has not been proved, even though the objection was raised to its admissibility and the persons who could have come forward to prove the same were available, namely, Rev. Fr. Swami, who solemnised the marriage, or Rev. Fr. Maria Arul, who was in charge of the maintenance of this Register, have not been examined. Even this apart, the probative value of this Register is limited, since the purpose of marriage is only for the registration of the marriage and has nothing to do with baptism. In G.O. No. 40, Ecclesiastical, dated June 30, 1924, the Appendix at page 864 of the Gazette prescribes columns relating to the Registration of marriage. That does not require that the date of baptism should be entered and therefore, any entry which is not required to be filled, will be of no use, as laid down in *Nagayaswami Naidu and others (1) v. Kochadal Naidu and others (2)* and *Tanneru Venkayamma v. Tanneru Gangayya (8)* and *Maniklal Shah v. Hiralal Shaw*.

Lastly, the signature, Exhibit P. 29 (2) alone has been proved, since it was put to R.W.1. In such a case it cannot be held that the contents of the document have been proved. It has been so laid down in *Madholau Sindhu v. Asian Assurance Co., Ltd. and others (4)*.

The attack on this document is resisted by the argument on behalf of the petitioner that the entire entry was put to both R.W.1, the respondent, and R.W.3, his elder brother, who admitted the respective signatures, but only contended that neither of them furnished the necessary particulars. If the marriage is by Banns, a certificate of baptism should have been produced from the Home Priest. P.W.1, the petitioner, says that he saw File No. 12 in the Church in which the marriage of the respondent took place, in which file was available the Baptism Certificate. That evidence must be accepted. Though the Baptism Certificate was subopened under Exhibit P. 35, it was merely acknowledged under Exhibit P. 35(a). The same has not been forthcoming. Hence, Exhibits P. 36 and P. 58, the extracts of particulars relating to baptism, though they are typed copies because they happen to be contemporaneous records at the time when the petitioner saw File No. 12 must be held to be admissible in evidence. In my view these arguments should be considered only in the light of the oral evidence. The respondent admits that he was married at St. Francis Xavier Church, when a specific question was put to him by me as to what he had to say for this entry in Exhibit P. 29, which is 19-10-1946, as entered therein, his answer is: "These particulars have not been furnished by me"

R.W.3 was also asked about the marriage and he admits that he signed the marriage register in the Church itself. His explanation is, "Notwithstanding the fact that the age of the respondent was mentioned as 26 and the date of baptism was entered as 19-10-1946, he signed the register without looking into the particulars, nor did he furnish those particulars." From the above evidence, it is clear that the marriage on 6-4-1972 is admitted. It is not possible for me to accept the explanation that neither R.W.1 nor R.W.3 furnished these particulars. If the marriage has been admitted and their signatures in Exhibit P. 29 are also admitted, I should necessarily conclude that Exhibit P. 29 stands proved, and it is of great evidentiary value. I may refer to Canon 1103 and in paragraphs 1132 to 1134 the procedure relating to record of marriage is set out.* In paragraph 1133 it is stated:

(1) A. I. R. 1969 (Madras 329 at 334).

(2) A. I. R. 1934 (Madras) 16.

*See pages 684 and 695 of 'A practical Commentary on the Code of Canon Law' by Rev. Stanislaus Woywod, Vol. I, Fourth Revised Edition, 1932.

"It is, however, generally held by canonists that the keeping of an exact marriage record is a grave duty, for the very purpose of the record indicates this gravity."

It was well open to the respondent to have denied the fact of marriage, in which event certainly the petitioner ought to have examined those persons connected with either the solemnisation of the marriage or the maintenance of the records depending upon their availability. From this, it is possible to conclude that the respondent was only aged 26 in the year 1972, in which case he will be only 28 years old in 1974. If this be the position, none of the objections

raised by Mr. Venugopal could be sustained concerning this Exhibit P. 29. However, let me consider the position, assuming that Exhibit P. 29 is not at all admissible in evidence.

Exhibit P. 30 contains the periodical reports from the Churches of marriages solemnised. In that register the column relating to the age of the respondent is noted as 26. Exhibit P. 30 (a) is the certificate which reads as follows:

"I, J. Poyseph Sandanam, S.D.B., do hereby certify that the foregoing returns are true and faithful copies of all entries of marriages of Indian Christians registered in the register book for such marriages kept at St. Francis Xavier's Church, Madras-1, during the 12 months ending 31st December, 1972."

Underneath that is found the signature of Fr. Joseph Sandanam, Parish Priest, St. Francis Xavier Church, 77, Broadway, Madras-1. Rev. Fr. Joseph Sandanam has been examined as P.W.10. This was put to him during his oral testimony and he says that the marriage is dated 6th of April, 1972, and is by Banns, it was solemnised by Fr. G. K. Swami and he (P.W.10) has signed. This is an Official report required to be communicated under the Indian Christian Marriage Act, 1872 (Central Act 15 of 1872). This document, viz., Exhibit P. 30, would amply prove the contention of the petitioner that the respondent had not completed the age of 30 at the relevant date.

Birth registers.—The Birth Register for the year 1946, though summoned, has not been produced. It was contended by the petitioner that because of the influential position the respondent happens to occupy, he has prevented the Birth Register for the year 1946 from being produced. Consequently, I directed the learned Government Pleader to take every possible step to produce this important register. I further directed the concerned officers, two of whom were examined, to trace the same, failing which to offer satisfactory explanation as to why and how that register came to be lost. Accordingly, the concerned records were produced, which were marked as Exhibits C1 to C4. On a careful perusal of the same, I am convinced that the Birth Register for the year 1946 has been lost long ago and has not been available in spite of series of reminders under Exhibit C-4. Under those circumstances, I have no hesitation to hold that the allegation that because of the influence exercised by the respondent, this Register has not been forthcoming, must be rejected. However, the Birth Register for the year 1943 has been produced. Relying on the decisions in *The Queen Empress v. Greco Chunder Banerjee (5)* and *Ali Nasir Khan v. Manik Chand and another (6)* Mr. Venugopal states that there is no entry relating to the birth of the respondent in the year 1943, and therefore, this register will be inadmissible in evidence, since the register cannot be accepted in evidence to prove the absence of an entry, while an entry in the register alone could be relied upon. This contention is not correct. Because the respondent set up the year of birth as 1943, to rebut that statement, the register for the year 1943 relating to the respondent's village has been summoned, last, as rightly

(3) A. I. R. 1950 (Calcutta) 377.

(1) A. I. R. 1954 (Bombay) 305.

(5) I. I. R. 10 Calcutta, 1024.

(6) I.L.R. 25, Allahabad, 90.

contended by Mr. Parthasarthy, learned counsel for the election—Petitioner in Election Petition No. 2 of 1974, the absence of that register would have given rise to possible comments by the respondent concerning the failure to summon the same. In my view, the petitioner did the right thing in summoning this register, which has dispelled every doubt. Therefore, neither of the rulings relied on by the respondent can be of any assistance to him.

Let me now turn to the evidence on the side of the respondent. The documentary evidence consists of Exhibits R1, R2, and R4. Exhibit R1 is the extract from the Register of Baptism kept by the Ovari-Tuticorin Diocese issued by the St. Mary's Church, Ovari. This Exhibit has been given without even an application for it, and curiously the name of the Church itself is not found in it, and the explanation is that there is only one church in Ovari. This has been issued by R.W.5, obviously based on the entries in Exhibit R4. About this Exhibit R4, I am constrained to make the following observations, since this is the only record which is the sheet-anchor as far as the respondent is concerned. Though subpoena was taken out for the production of the Baptism Register maintained by the Church, which subpoena was addressed to the Parish Priest, and time was extended twice, it comes to be ultimately produced only on the 16th of August, 1974, and that too not by the Parish Priest, viz., Rev. Fr. Theophilus Ferando, but by R.W.5, who had been granted three months' leave by his Bishop from 5th July to 15th September, 1974. Concerning this, R.W.5 in his evidence states as follows:

"Q. Have you given any reason so far to the Court as to why you are unable to produce the original?

A. We took it as the original."

A general impression of this kind that this re-written register was the original, was also given to the Court until R.W.2, Rev. Fr. Rosario, was examined. This was not put to him. R.W.5 was asked as to what happened to the original to which certain the truth, I put the question to him whether he had signed the baptism register, since he claimed to have done the baptism for the respondent, and his answer was "Yes". To a further question whether this register, Exhibit R4, was the one maintained by him, his answer is "This is not the original", and he adds that he does not know as to where the original is. "It seems to me that this register is re-written" and he says so because if it were the original, his signature would be found and that he was sure that he had signed the register. Only after this evidence was let in, R.W.5 was asked as to what happened to the original to which the nonchalant reply was that he had burnt it in December, 1972 itself. To get at the truth, I had to put a series of questions. His explanation for burning the original, in his own words, is:

"That Baptism Register was in a very bad condition. I found it in loose sheets. There was no outer cover. No thread was found. I can remove it page by page. The edges of the papers were also folded. The papers were breaking. The register was in a powdery state."

This explanation, apart from being unconvincing, is thoroughly unsatisfactory and unbecoming of any Christian, more so one connected with church affairs. By this "unholy act" of burning this "sacred" register (it is termed "sacred" by P.W.10), R.W.5 has done great disservice to Christianity and greater disservice to the cause of truth. The reason why I state so is because of Canon 777 paragraph 676 which reads as follows:—

"Great caution must be taken not to make any corrections in the record, such as striking out words, misspelling and writing over again: all such alterations mar the record and make it worthless to prove anything in law, if made in a point which may become important. That they lose their value as documents is indicated in Canon 1818 which states that such documents are left to the mercy

of the judge to attach whatever value he thinks proper to them."

If this be the standard for maintaining, how could it be hurt? I may also state that under Canon Law, the pastor records of baptism, marriages and deaths are recognised as public records and full proof of the facts affirmed in such records. Canon 1818 says:

"In the case of defective documents—namely, those show erasures, corrections, interpolations, or other "defects" it is left to the discretion of the judge to determine whether and how far they prove anything."

In fact, during the course of the arguments, when I asked Mr. Venugopal whether Exhibit R-4 is worth the paper on which it was written, he said he was in agreement with my remarks. Thus, the secondary evidence of the Baptism Register, viz., Exhibit R-4, as contemplated in Section 65 of the Evidence Act, cannot be let in. For these reasons, little hesitation do I have in rejecting both Exhibits R-4 and R-1 based upon that.

Now to the oral evidence. I am unable to accept the contention of Mr. Venugopal that the evidence of R.W.2, Rev. Fr. Rosario, should be accepted, since he is positive that he baptised the respondent in the year 1943 when he was the Parish Priest. I am unable to accept his evidence, though he gives the reason as to how he came to remember this baptism, since the father of the respondent was his catechist, and one remembers certain important events in one's life and one such event in his life is the baptism of the respondent. The reason why I reject his testimony is, it is admitted that there is a contemporaneous record by way of Baptism Register and that register has not been produced, which alone could have spoken so eloquently about this baptism. In my view, it is unsafe to rely upon the memory of R.W.2, as human memory may fail while the documents do not. Moreover he is very much interested in the respondent, being their family friend for long.

Barring this, there is only the interested testimony of R.Ws.1 and 3, viz., that of the respondent and his elder brother. Both of them are said to have verified the dated of birth by referring to the Baptism Register. When the Baptism Register itself is not forthcoming, their oral testimony will be of no use. There is an added reason to reject the oral testimony of R.W.1. As seen above, there are a number of documents which contain the admissions of the respondent himself that his date of birth is 14-5-1946. Any oral evidence which runs counter to this admission, cannot be accepted at all and I need only quote the dictum laid down by Their Lordships of the Supreme Court in Mohinder Singh v. State of Haryana (1) A.I.R. 1974 (SC) 873 at 877.

"Oral evidence which runs counter to an admission contained in writing signed by a party, in the very nature of things, is a very weak piece of evidence and cannot be accepted without a grain of salt".

A comment was made by the respondent's counsel about the non-examination of Rev. Fr. Kagoo, who according to the petitioner is alleged to have done the baptism of the respondent in the year 1946. Rev. Fr. Kagoo wrote a letter to the Court that he is unable to attend Court to give evidence. (Vide Exhibit R-8). If that were so, in order to substantiate the contention, the petitioner ought to have examined Rev. Fr. Kagoo at least on Commission. The short answer is, if the original Baptism Register itself has been forthcoming that could have been put to Rev. Fr. Kagoo and some useful material could have been elicited by examining him. In the absence of the original Baptism Register, it would serve no useful purpose to examine Rev. Fr. Kagoo and thus, the failure to examine him does not in any way affect the case of the petitioner.

I summarise my conclusions as follows:

(1) A large volume of public records clearly show that the date of birth of the respondent is 14-5-1946, though one of the documents shows his date of birth as 14-10-1946.

Whatever the discrepancy may be, one thing is certain, that is, the respondent was born in the year 1946.

(2) There are valuable admissions made by the respondent under signed declarations, a list of which I have set out above, which cannot be got over by a simple explanation that the wrong date has been carried forward from one record to another, for which, as shown earlier, there is no basis at all, much less any evidence. The petitioner has taken all possible steps (vide Exhibits P-48, P-49, P-52, to P-57 and P-60 to P-63) to produce the best evidence possible, as a result of which alone all these documentary evidence have come to Court. In fact, I should say that no effort has been wanting from the petitioner in this regard, and therefore, it is futile to contend that the burden of proof has not been discharged. I may, in this connection, usefully refer to the observations of the Supreme Court in *Narayan Bhagwantrao Gosavi Balajiwal v. Gopal Vinayak Gosavi and others* (1) A.I.R. 1960 (SC) 100 (1960 SCR 773 at 782).

"The burden of proof is of importance only where, by reason of not discharging the burden, which was put upon it, a party must eventually fail. Where, however the parties have joined issue and have led evidence and the conflicting evidence can be weighed to determine which way the issue can be decided, the abstract question of burden of proof becomes academic".

(3) The documentary and oral evidence on the side of the respondent are liable to be rejected.

From the above, the irresistible conclusion is that the respondent was born in the year 1946, which would mean that he had not completed 30 years of age on the date of the scrutiny of nominations, as required under Article 84 (b) of the Constitution. Not to hold so, would amount to shutting one's eyes to reality plain to be seen and accepting a mythical baptism in the year 1943.

The framers of the Constitution fixed the age for election to the Rajya Sabha at 30 so that men of mature wisdom and rich experience might be the Members and that is why they are called "the elders". This court must be jealous of persons trying to circumvent this salutary principle and any usurpation of this high office must be prevented and the purity of elections must be maintained, since on that alone real democracy can flourish.

Thus, I answer issue No. 3 in both the petitions in favour of the petitioner.

Regarding issue No. 7 in E. P. No. 1 of 1974 (issue No. 10 in E.P. No. 2 of 1974) I must state that Mr. Venugopal does not seriously contend that merely because the objection was not raised about the disqualification at the time of the scrutiny of his nomination, the petitioner would be precluded from doing so in the election petition. As pointed out by the Supreme Court in *Durga Shankar Mehta v. Raghubar Singh and Others* (1), A.I.R. 1954 (SC) 520 this is a fundamental disability in the candidate to stand for the election at all. Hence this issue is also answered in favour of the petitioner.

Issue No. 5 in Election Petition 1 and 2 of 1974.—It has been repeatedly laid down by the Supreme Court that this Court sitting as a Tribunal, has no jurisdiction to enquire into the correctness or otherwise of the amendment made to the Electoral Rolls. But I may just in passing observe that the amendment to the Electoral Roll has come to be carried out in a haphazard fashion by P.W.18. In his application, while reproducing the then existing Electoral Roll, the respondent had conveniently omitted his age, but would give only as to how his age should be corrected to read as 31. The records, Exhibits P-73 to P-76 do not show on what material the amendment came to be effected. Thus, I answer the issue accordingly.

Issue No. 1 in Election Petitions 1 and 2 of 1974 :

I have not been addressed any arguments as to how the election petitions are liable to be dismissed. Hence, I answer the same in favour of the petitioner.

Issue No. 2 in Election Petition 1 and 2 of 1974 :

In paragraph 28 and 29 of the counter-statement of the respondent in Election Petition No. 1 of 1974 and in paragraph 49 of the counter-statement in Election Petition No. 2 of 1974, objections have been raised as to the admissibility of Annexure 1 to 7. A further ground is raised that these Annexures are liable to be struck off as they were not filed with the election petitions. But, on a letter verification from the records maintained by the Office of this Court, Mr. Venugopal submitted that he was satisfied that these Annexures were filed along with the election petitions, and hence this objection does not survive. A regards their admissibility, since the petitioner did not seek to rely on any of these documents that question does not arise. Thus issue No. 2 is answered in favour of the petitioner.

Issue Nos. 7, 8, 9, and 11 in Election Petition No. 2 of 1974 :

The allegation relating to corrupt practice is not specific. What the petitioner states, in effect is, by filing an amended Electoral Roll, the respondent has managed to have his nomination accepted. The Returning Officer, as is well known, can only look into the Electoral Roll and he cannot go behind it. When the respondent produced Exhibit R-2, the certified extract, the Returning Officer has no option than to accept the nomination on the strength of the Electoral Roll. Under Section 36 (2) of the Representation of the people Act, 1951, the Returning Officer has got to examine the nomination paper and decide all objections that may be made to any nomination. In so far as no objection had been raised he would have had no opportunity to go into this question. Nor can he suo moto embark upon an enquiry, since he would have had no reason to conclude that the respondent was under aged with the corrected Electoral Roll before him. In fact, in similar circumstances, the Supreme Court has held in *Durga Shankar Mehta v. Thakur Raghubar Singh and others* (1) A.I.R. 1954 (SC) 520, at page 524 : "when the candidate appears to be properly qualified on the face of the electoral roll and the nomination paper and no objection is raised to the nomination, the Returning Officer has no other alternative but to accept the nomination. This would be apparent from Section 36 (7) of the Act. In other words, the electoral roll is conclusive as to the qualification of the electorate except where a disqualification is expressly alleged or proved. "In view of this, it cannot be held that the respondent is guilty of any corrupt practice. Even if the respondent has given a false declaration, that is a matter which arises under the Representation of the People Act of 1950 and Section 31 specifically deals with the same. Sitting as an Election Tribunal all that I can enquire into is whether there has been any non-observance of the provisions of this Act or of any rule or orders made under this Act, as laid down in Section 100(1) (d)(iv) of the Representation of the People Act, 1951. Hence these issues are answered against the petitioner.

Issue No. 4 Election Petitions 1 and 2 of 1974 :

In view of my finding on issue No. 3 in the respective election petitions, I hold that the election of the 10th respondent is liable to be declared as void under Section 100(1)(a) and (1)(d)(iv) of the Representation of the People Act, 1951.

Issue No. 6 in Election Petition 1 and 2 of the 1974 and issue No. 8 in Election Petition No. 1 of 1974 : It is the contention of Mr. K.K. Venugopal that Section 101 of the Act does not apply to an election held to the Council of States, since what is spoken to under Clause (a) of the said Section is the majority of valid votes and in the case of a single transferable vote, there is no question of obtaining a majority, but only the required quota. In my view, this is rather an extreme submission and I am unable to accept the same. The preamble of the Act itself reads as follows :—

"An Act to provide for the conduct of election to the Houses of parliament and to the House or Houses of the Legislature of each State, the qualifications and disqualifications for membership of those Houses, the corrupt practices and other offences at or in connection with such elections and the decision of doubts and disputes arising out of or in connection with such elections."

Apart from the preamble referring to the Houses of parliament, there are also other Sections from which it can be easily gathered that the election to the Rajya Sabha cannot be ex-

cluded, viz., Section 2(d), 3, 7(b), 12, 29, 39, 67, 67(a), 68, 69, 70, 71, 79(b) and (f) 147 and 155. In addition to these, the Conduct of Elections Rules, 1961, also contain a few rules which are relevant and they are Rules 2(1)(c), 67, 70, 71 and 85. In fact, Article 329 (b) of the Constitution bars any other remedy excepting an election petition concerning an election to either Houses of the Parliament. Thus, I hold that Section 101 applies to an election to the Council of States.

Mr. Chitlae, learned counsel appearing for the petitioner in Election Petition No. 2 of 1974, contends that in the event of the election of the respondent being set aside, the Court has no other choice except to declare the petitioner in Election Petition No. 2 to have been validly elected to the vacancy caused. His submission is that the petitioner in Election Petition No. 1 obtained nil votes. Hence, he stands automatically eliminated. If that be so, the only remaining candidate in the field, having secured 300 votes, is the petitioner in Election Petition No. 2 of 1974. Therefore, his election is "Hobson's Choice". This is the position factually, and the decision in *Viswanatha Reddy v. Konappa Rudrappa Nadquoda* and another (1) A.I.R. 1969 (SC) 604, supports his submission. Even in law the same position is arrived at since Rule 81 (2) of the Conduct of Elections Rules, 1961 (hereafter referred to as the Rules) states :

"81(2). When at the end of any count only one vacancy remains unfilled and the value of the papers of some one candidate exceeds the total value of the papers of all the other continuing candidates together with any surplus not transferred, that candidate shall be declared elected."

Petitioner in Election Petition No. 2 of 1974 being such a candidate contemplated under the said Rule, he should be declared elected. Per contra Mr. Venugopal argues that it is not correct to state that merely because the election petitioner in Election Petition No. 1 had obtained nil votes in the first count, he does not stand automatically eliminated. He is still a continuing candidate within the meaning of Rule 71(1). Moreover, inasmuch as six seats came to be filled at the first count itself, since each of the candidates who was declared elected, obtained the required quota of 3,201 votes, the stage for applying Rule 81(2) did not arise at all and in such a case it will be in the realm of a guess or speculation that the petitioner in Election petition No. 2 got required quota and the observations of the Supreme Court in *R.M. Seshadri v. G. Vasantha Pai* (1) A.I.R. 1969 (SC) 692 at 701 are of great help to him. The arguments of Mr. Chitlae, though apparently attractive, appear to me, on closer examination to be untenable. Part VII of the Rules lays down the procedure for counting of votes at elections by Assembly Members or in Council, which is the one that is applicable to the present case. I may reproduce the material portions of Rule 71, which have a bearing on the present issue.

"71 DEFINITIONS : In this part,

- (1) 'continuing candidate' means any candidate not elected and not excluded from the poll at any given time;
- (2) 'count' means—
 - (a) all the operations involved in the counting of the first preferences recorded for candidates; or
 - (b) all the operations involved in the transfer of the surplus of an elected candidate; or
 - (c) all the operations involved, in the transfer of the total value of votes of an excluded candidate;
- (5) 'original vote', in relation to any candidate, means a vote derived from a ballot paper on which a first preferred is recorded, for such candidate;
- (6) 'surplus' means the number by which the value of the votes, original and transferred, of any candidate exceeds the quota ;
- (7) 'transferred vote', in relation to any candidate, means a vote the value or the part of the value of which is credited to such candidate and which is derived from the ballot paper on which a second or a subsequent preference is recorded for such candidate;

Rules 75(2) and (3) are as follows :—

"75 (2) If, at the end of the first or any subsequent count, the total value of the ballot paper credited to any candidate is equal to, or greater than, the quota or there is only one continuing candidate, that candidate shall be declared elected.

(3) If, at the end of any count, no candidate can be declared elected, the returning officer shall—

- (a) exclude from the poll the candidate who up to that stage has been credited with the lowest value;
- (b) examine all the ballot papers in his parcel and sub-parcels, arrange the unexhausted papers in sub-parcels according to the next available preferences recorded thereon for the continuing candidates, count the number of papers in each such sub-paragraph and credit it to the candidate for whom such preference is recorded, transfer the sub-paragraph to that candidate, and make a separate sub-paragraph of all the exhausted papers; and;
- (c) see whether any of the continuing candidates has, after such transfer and credit, secured the quota."

Rule 78 speaks of candidates who obtain the necessary quota, be declared elected.

Rule 79 speaks of transfer of surplus.

Rule 80 states the method of exclusion of candidates lowest on the poll, and Rule 81(1) and (2) speak of filing the last vacancies.

If only the petitioner in Election Petition No. 1 ceases to be a continuing candidate, the petitioner in Election Petition No. 2 could be declared to have been elected. It is not correct to state that merely because he obtained nil votes in the first count, he ceases to be a continuing candidate. Only in the first count he has obtained nil votes. If the second count had been held, for which there was no necessity in this case, it might have so happened that he secured more votes than the petitioner in Election Petition No. 2. The process of exclusion contemplated under Rule 80 would arise after the transfer of surplus, which transfer of surplus is detailed out under Rule 79. In the present case that stage has not arisen at all. That being the position, there is no possibility of applying Rule 81. The votes cast in favour of the respondent are not thrown away votes, but are valid votes, in which case the petitioner in Election Petition No. 2 of 1974 cannot claim that he had obtained the majority of votes. Even assuming that they are thrown away votes, the petitioner in Election Petition No. 2 of 1974 had not established that either he has obtained the required quota or is the sole continuing candidate. The question of obtaining majority of votes cannot arise at all in the case of a single transferable vote and it is only by obtaining the quota, which quota is ascertained under Rule 76, the candidate gets elected.

In *Viswanatha Reddy v. Konappa Rudrappa Nadquoda* and another (1) A.I.R. 1969 (SC) 604 what was held was where there are only two contesting candidates and one of them is under a statutory disqualification, votes cast in favour of the disqualified candidate may be regarded as thrown away, irrespective whether the voters who had voted for him were aware of the disqualification and no fresh poll is necessary. It may be necessary to note that the above decision of the Supreme Court related to a case of single non-transferable vote. But that is not the case here. As I said above, it is only by obtaining the required quota the candidate gets elected.

I may now set out the observations of the Supreme Court rendered in *R. M. Seshadri v. G. Vasantha Pai* (1) A.I.R. 1969 (SC) 692 at page 701, which are apposite :

"It remains to consider the argument of Mr. Gupta whether Vasantha Pai could be declared elected. This will depend on our reaching the conclusion that but for the fact that voters were brought through this corrupt practice to the polling booths, the result of the election had been materially affected. In a single transferable vote, it is very difficult to say how the voting could have gone, because if all the votes which Seshadri had got, had gone to one of the other candidate who got eliminated at the earlier counts, those candidates would have won. We cannot order a

recount because those voters were not free from complicity. It would be speculating to decide how many of the voters were brought to the polling booths in the cars. We think that we are not in a position to declare Vasantha Pai as elected because that would be merely a guess or surmise as to the nature of the voting which would have taken place if this corrupt practice had not been perpetrated.

As far as the petitioner in Election Petition 1 is concerned I do not find any basis in the Election Petition for this alternate prayer excepting a mere statement in paragraph 23(h). No evidence has been let in by him in this regard and therefore, his alternate prayer has to be rejected. In conclusion, I answer issue No. 6 holding that Section 101 applies. But neither the election petitioner in Election Petition No. 1 of 1974 nor the election petitioner in Election Petition No. 2 of 1974 is entitled for the declaration that he has been duly elected. Issue No. 8 in Election Petition No. 1 of 1974 is answered as above.

Issue No. 9 in Election Petition No. 1 of 1974 and Issue No. 12 in Election Petition No. 2 of 1974. The stage for filing a reclamation petition does not arise at all, since it has not been established that the petitioner in Election Petition No. 2 is entitled to a declaration that he is the returned candidate and I answer these issue accordingly.

In the result,

- (1) I allow the election petitions holding that the election of the 10th respondent D C John alias Valampuri John, as void under Section 100(1)(a) and 100(1)(d)(iv) of the Representation of the People Act, 1951, since he has not completed 30 Years of age as required under Article 84(b) of the Constitution of India on the date of the scrutiny of the nomination, namely March, 12, 1974, and consequently his election to the Council of States (Rajya Sabha) from the State of Tamil Nadu in the biennial election held on 21.3.1974 is set aside.
- (2) Neither the petitioner in Election Petition No. 1 of 1974 nor the petitioner in Election Petition No. 2 of 1974 will be entitled to a declaration that he himself has been duly elected in the vacancy caused by the setting aside of the election of the 10th respondent.
- (3) Election Petition No. 1 of 1974 will stand allowed to the extent indicated above and the 10th respondent will pay the costs, which I fix at Rs. 500.
- (4) Election Petition No. 2 of 1974 will also stand allowed to the extent indicated above and the 10th respondent will pay the costs, which I fix at Rs. 500.
- (5) The reclamation petition will stand dismissed with costs, of the 10th respondent which is fixed at Rs. 100.

(It'd) S M

14-10-1974

[No. 82/TN/1-2/74]

V NAGASUBRAMANIAN, Under Secy

वित्त मन्त्रालय

(राजस्व और बीमा विभाग)

नई दिल्ली 26 अक्टूबर 1974

आय कर

क्रा०आ० 3387 —सर्वसाधारण की जानकारी के लिए अधिसूचित किया जाता है कि नीचे वर्णित सभा का आयकर अधिनियम 1961 की धारा 45 की उप-धारा (1) के खण्ड (ii) के प्रयाजनों के लिए विहित प्राधिकारी, भारतीय शक्तिमा अनुसंधान परिषद् द्वारा बचल अनुसंधान-प्रयोजना के लिए प्राधिकृत किया गया है।

संस्था

गजरात रिसर्च सोसायटी मुम्बई

यस अधिसूचना 1 अप्रैल 1971 में प्रकाशित है।

[स० 763 (पा० स० 203/36/74 आई टी ए० II)]

टी० पी० ध्रुनजुनवाला, उपसचिव

MINISTRY OF FINANCE

(Department of Revenue and Insurance)

New Delhi, the 26th October, 1974

INCOME TAX

S.O. 3387.—It is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Medical Research, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income tax Act, 1961 for research purposes only.

INSTITUTION

GUJARAT RESEARCH SOCIETY, BOMBAY

This notification takes effect from 1st April, 1974

[No. 763/F No. 203/36/74-ITA II]

T P JHUNJHUNWALA, Dy Secy

नई दिल्ली, 17 दिसम्बर, 1974

(बीमा)

क्रा० आ० 3388 —बीमा नियम, 1939 को और संशोधित करने के लिए नियमों का निम्नलिखित रूप प्राप्त, जिसे केन्द्रीय सरकार बीमा अधिनियम, 1938(1938 का 4) की धारा 114 द्वारा प्रदत्त शक्तियों वा प्रयाग वर्तत हुए बनाने की प्रस्थापना करती है, उक्त धारा की उपधारा (1) द्वारा यथा अपेक्षित उन सभी व्यक्तियों की जानकारी के लिए जिनके उसके द्वारा प्रभावित होने की सम्भावना है प्रकाशित किया जाता है और यह सूचना दी जाती है कि प्रारूप पर, राजपत्र में उसके प्रकाशन की तारीख से पचासवें दिन या उसके पचासवें केन्द्रीय सरकार द्वारा विचार किया जाएगा।

ऐसे किन्हीं शर्तों या सुझावों पर जो प्रारूप के सवध में किसी व्यक्ति में, यथा विनिर्दिष्ट तारीख पर या उससे पूर्व प्राप्त होंगे केन्द्र सरकार द्वारा विचार किया जायेगा।

प्रारूप

1 इन नियमों का नाम बीमा (संशोधन) नियम, 1974 है।

2 बीमा नियम, 1939 के नियम 12 में, उप नियम (1) के स्थान पर निम्नलिखित उपनियम रखा जाएगा।

(1) जीवन बीमा के मामले में हर एक प्रस्थापना प्रारूप में या किसी अन्य प्रकार के बीमा मामले में, सविदा के आधार पर किसी वस्तुओं में यदि कोई हो, यह स्पष्टन उपदर्शित किया जाएगा कि प्रीमियम का रिबेट, विधरण पत्रिका

अथवा प्रीमियम-दरा की सारणी के अनुसार ही अनुज्ञात किया जाएगा और यह किसी अन्य रिबेट की प्रस्थापना या उसका प्रतिशत अर्धनियम की धारा 41 के अधीन अपराध होगा।”

[फा० न० 81 (12) बीमा० II/74]

आर० के० महाजन, निदेशक

1st November, 1974 published in Part II, Section 3(ii) of the Gazette of India dated 23rd November, 1974, the following corrigendum may be noted. On page No. 3161 the figure Rs. 4,80,000 shown against small coin may be read as Rs. 4,08,000.

[Ref. Gen. No. 295/H-74/75]

Chief Accountant.

New Delhi, the 17th December, 1974

(Insurance)

S.O. 3388.—The following draft of rules further to amend the Insurance Rules, 1939, which the Central Government proposes to make in exercise of the powers conferred by section 114 of the Insurance Act, 1938 (4 of 1938), is published, as required by sub-section (1) of the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration by the Central Government on or after forty-five days from the date of its publication in the Official Gazette.

Any objections or suggestions which may be received from any person with respect to the draft on or before the date so specified will be considered by the Central Government.

Draft

1. These rules may be called the Insurance (Amendment) Rules, 1974.

2. In rule 12 of the Insurance Rules, 1939, for sub-rule (1), the following sub-rule shall be substituted namely :—

“(1) It shall be clearly indicated in every proposal form in the case of life insurance or, in the case of any other form of insurance, in the document, if any, forming the basis of the contract that rebate of premiums shall be allowed on only in accordance with the details given in the prospectus or table or premium rates and that an offer or acceptance of any other rebate shall be an offence under section 41 of the Act.”

[F. No. 81(12)—Ins. II/74]

R. K. MAHAJAN, Director

RESERVE BANK OF INDIA

(Department of accounts and expenditure)

Rombay, 16th December, 1974

CENTRAL OFFICE

CORRIGENDUM

S.O. 3389.—In the Statement of Affairs (in English) of the Reserve Bank of India Banking Department for the week ended 116 GI/74—3

वित्त मंत्रालय

(बैंकिंग विभाग)

नई दिल्ली, 5 दिसम्बर, 1974

फा० आ 3390—बैंककारी विनियमन अधिनियम 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा घोषित करती है कि उक्त अधिनियम की धारा 11 की उपधारा (1) के उपबन्ध 29 अप्रैल, 1972 से 28 फरवरी, 1975 तक की अवधि के लिए निम्नलिखित को—प्रोपरेटिव बैंक लिमिटेड, निम्नलिखित पर लागू नहीं होंगे।

[स० एफ० 8/5/74-एसी]

क० भवानी, सचिव

(Department of Banking)

New Delhi, the 5th December, 1974

S.O. 3390.—In exercise of the powers conferred by section 53 read with section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (1) of section 11 of the said Act shall not apply to the Sindgi Urban Co-operative Bank Ltd., Sindgi, for the period from 29th April, 1972 to 28th February, 1975.

[No. F. 8/5/74-AC]

K. BAVANI, Under Secy.

बैंकिंग विभाग

रिज़र्व बैंक ऑफ इंडिया

नई दिल्ली, 13 दिसंबर, 1974

क्र० आ० 3391—रिज़र्व बैंक ऑफ इंडिया अधिनियम, 1934 के अनुसरण में दिसंबर 1974 की 6 तारीख का समाप्त हुए सप्ताह के लिये लेखा (हफ्ता विभाग)

व्ययताएँ	रुपये	रुपये	आस्तिया	रुपये	रुपये
बैंकिंग विभाग में रखे हुए नोट	22,71,17,000	सोने का सिक्का और बुलियन --			
संचलन में नोट	6050,54,34,000		(क) भारत में रखा हुआ	182,52,68,000	
			(ख) भारत के बाहर रखा हुआ	—	
जारी किये गये कुल नोट		6073,25,51,000	विदेशी प्रतिभूतियाँ	141,73,97,000	
			जोड़		324,26,65,000
			रुपये का सिक्का		13,64,50,000
			भारत सरकार की रुपया प्रतिभूतियाँ		5735,34,36,000
			देशी विनिमय बिल और दूसरे वाणिज्य-पत्र		..
कुल व्ययताएँ		6073,25,51,000	कुल आस्तिया		6073,25,51,000

तारीख 11 दिसंबर 1974

प्रार० के० हजारी, उप गवर्नर

6 दिसंबर 1974 को रिज़र्व बैंक ऑफ इंडिया के बैंकिंग विभाग के कार्यकलाप का विवरण

व्ययताएँ	रुपये	आस्तिया	रुपये
चुक्ता पूंजी	5 00,00,000	नोट	22,71,17,000
प्रारक्षित निधि	150,00,00,000	रुपये का सिक्का	4,98,000
राष्ट्रीय कृषि ऋण (दीर्घकालीन प्रवर्तन) निधि	284,00,00,000	छोटा सिक्का	3,68,000
राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि	95,00,00,000	खरीदे और भुनाये गये बिल	
राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन प्रवर्तन) निधि	265,00,00,000	(क) देशी	131,86,48,000
जमा राशियाँ --		(ख) विदेशी	..
(क) सरकारी		(ग) सरकारी खजाना बिल	587,71,40,000
(i) केन्द्रीय सरकार	57,63,46,000	विदेशों में रखा हुआ ऋण	536,44,32,000
(ii) राज्य सरकारें	11,24,98,000	निवेश **	537,88,43,000
(ख) बैंक		ऋण और अधिम --	
(i) अनुसूचित वाणिज्य बैंक	609,19,69,000	(i) केन्द्रीय सरकार का	..
(ii) अनुसूचित राज्य सहकारी बैंक	14,38,34,000	(ii) राज्य सरकारों को "	52,87,56,000
(iii) गैरअनुसूचित राज्य सहकारी बैंक	1,66,92,000	ऋण और अधिम --	
(iv) अन्य बैंक	92,32,000	(i) अनुसूचित वाणिज्य बैंकों को	64,43,50,000
		(ii) राज्य सहकारी बैंकों को	319,29,91,000
		(iii) दूसरों को	10,98,00,000
		राष्ट्रीय कृषि ऋण (दीर्घकालीन प्रवर्तन) निधि में ऋण, अधिम और निवेश	
		(क) ऋण और अधिम --	
		(i) राज्य सरकारों को	67,81,49,000
		(ii) राज्य सहकारी बैंक को	14,52,53,000
		(iii) केन्द्रीय भूमिबन्धक बैंक को	..
		(iv) कृषि पुनर्वित्त निगम को	63,50,00,000

देयताएं	रुपये	प्राप्तिया	रुपये
(ग) अन्य	539,68,76,000	(ख) केन्द्रीय भूमिबन्धक बैंकों के डिबेंचरों में निवेश राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से ऋण और अग्रिम	11,16,98,000
देय बिण	143,73,14,000	राज्य सहकारी बैंक को ऋण और अग्रिम राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन प्रवर्तन) निधि से ऋण,	47,45,62,000
अन्य देयताएं	677,28,84,000	अग्रिम और निवेश	
		(क) विकास बैंक का ऋण और अग्रिम	240,65,82,000
		(ख) विकास बैंक द्वारा जारी किये गये बांडों/डिबेंचरों निवेश	
		अन्य प्राप्तिया	145,25,58,000
रुपये	2854,67,45,000	रुपये	2854,67,45,000

*नकदी, प्राथमिक जमा और अल्पकालीन प्रतिभूतियां शामिल हैं।

**राष्ट्रीय कृषि ऋण (दीर्घकालीन प्रवर्तन) निधि और राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन प्रवर्तन) निधि में से किये गये निवेश शामिल नहीं हैं।

(1) राष्ट्रीय कृषि ऋण (दीर्घकालीन प्रवर्तन) निधि में प्रदत्त ऋण और अग्रिम शामिल नहीं। परन्तु राज्य सरकारों को दिये गये अस्थायी प्रोचरक्वाप्ट शामिल हैं।

† रिजर्व बैंक ऑफ इंडिया अधिनियम की धारा 17(4) (ग) के अधीन अनुसूचित वाणिज्य बैंकों को मोयाबी बिलों पर अग्रिम दिये गये 17,05,00,000 रुपये शामिल हैं।

‡ राष्ट्रीय कृषि ऋण (दीर्घकालीन प्रवर्तन) निधि और राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से प्रवर्त ऋण और अग्रिम शामिल नहीं हैं।

11 दिसम्बर, 1974

आर० के० हजारी, उप गवर्नर
[स० फा० 10 (1)/74 बी० ओ०-1]
ज० ब० सीरखन्दाजी, प्रवर सचिव

RESERVE BANK OF INDIA

New Delhi, 13 December, 1974

ISSUE DEPARTMENT

S.O. 3391.—An Account pursuant to the RESERVE BANK OF INDIA ACT, 1934, for the week ended the 6th day of December 1974

Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
Notes held in the Banking Department	22,71,17,000		Gold Coin and Bullion:—		
Notes in circulation	6050,54,34,000		(a) Held in India	182,52,68,000	
Total Notes issued		6073,25,51,000	(b) Held outside India	..	
			Foreign Securities	141,73,97,000	
			Total		324,26,65,000
			Rupee Coin		13,64,50,000
			Government of India		
			Rupee Securities		5735,34,36,000
			Internal Bills of Exchange and		
			other Commercial paper		..
Total Liabilities		6073,25,51,000	Total Assets		6073,25,51,000

Dated the 11th day of December 1974

R. K. HAZARI,
Dy. Governor.

Statement of the Affairs of the Reserve Bank of India, Banking Department as on the 6th December, 1974.

Liabilities	Rs.	Assets	Rs.
Capital Paid Up	5,00,00,000	Notes ^a	22,71,17,000
Reserve Fund	150,00,00,000	Rupee Coin	4,98,000
National Agricultural Credit (Long Term Operations) Fund	284,00,00,000	Small Coin	3,68,000
National Agricultural Credit (Stabilisation) Fund	95,00,00,000	Bills Purchased and Discounted:—	
National Industrial Credit (Long Term Operations) Fund	265,00,00,000	(a) Internal	131,86,48,000
Deposits :—		(b) External . . . . .	..
(a) Government		(c) Government Treasury Bills	587,71,40,000
(i) Central Government	57,63,46,000	Balances Held Abroad*	536,44,32,000
(ii) State Governments	11,24,98,000	Investments**	537,88,43,000
(b) Banks		Loans and Advances to :—	
(i) Scheduled Commercial Banks	609,10,69,000	(i) Central Government . . . . .	..
(ii) Scheduled State Co-operative Banks	14,38,34,000	(ii) State Governments††	52,87,56,000
(iii) Non-Scheduled State Co-operative Banks	1,66,92,000	Loans and Advances to :—	
(vi) Other Banks	92,32,000	(i) Scheduled Commercial Banks†	64,43,50,000
(c) Others	539,68,76,000	(ii) State Co-operative Banks†	319,29,91,000
Bills Payable	143,73,14,000	(iii) Others	10,98,00,000
Other Liabilities	677,23,84,000	Loans Advances and Investments from	
		National Agricultural Credit (Long Term Operations) Fund	
		(a) Loans and Advances to :—	
		(i) State Governments	67,81,59,000
		(ii) State Co-operative Banks	14,52,53,000
		(iii) Central Land Mortgage Banks . . . . .	..
		(iv) Agricultural Refinance Corporation	63,30,00,000
		(b) Investment in Central Land Mortgage Bank Debentures	11,16,98,000
		Loans and Advances from National Agricultural Credit (Stabilisation) Fund	
		Loans and Advances to State Co-operative Banks	47,45,62,000
		Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund	
		(a) Loans and Advances to the Development Bank	240,65,82,000
		(b) Investment in bonds/debentures issued by the Development Bank . . . . .	..
		Other Assets	145,25,58,000
Rupees	2854,67,45,000	Rupees	2854,67,45,000

*Includes Cash, Fixed Deposits and Short-term securities.

**Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

@Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

† Includes Rs. 17,05,00,000 advanced to scheduled commercial banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

‡ Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 11th day of December 1974.

R. K. HAZARI, Dy. Governor

[No. F. 10 (1)/74 B.O.I.]

C. W. Mirchandani, Under Secy.

(Department of Expenditure)

New Delhi, the 13th December, 1974

S.O. 3392.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor-General of India in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following amendment to the Central Civil Services (Extraordinary Pension) (Second Amendment) Rules, 1974, published in the notification of the Government of India No. F. 23(2)-E. V. (A)/74 dated the 26th March 1974 :—

In the said notification in sub-rule (2) of rule 1, for the figures, letters and word "9th September, 1965" the figures, letters and word "1st January, 1964" shall be substituted

Explanatory Memorandum

The Central Civil Services (Extraordinary Pension) Rules have been amended with retrospective effect in order to extend the benefit w.e.f. 1-1-1964 i.e. the date from which the rates of Extraordinary Family Pension payable to the widows and motherless children were revised vide Ministry of Finance Office Memorandum No. 19(3)-E. V. (A)/65 dated the 9th September, 1965. The interest of no one would be prejudicially affected by reason of the retrospective effect.

[No. F. 23(2)-E. V.(A)/74]

S. S. L. MALHOTRA, Under Secy.

OFFICE OF THE COLLECTOR OF CENTRAL EXCISE.

Guntur, the 7th November, 1974

ADDENDUM

S.O. 3393.—The following amendments shall be made in the Schedule of this Collectorate Note No. 1/72 dated 20-7-1972

2. Against item No. 5 Vishakhapatnam IDO, the following corrections may be made.

(i) Under Column No. 4 for the words 'Whole of Salur, Bobbili and Parvathipuram talukus of Srikakulam dist.' substitute the following : "Whole of Salur Taluk except Panchipenta firka, Bobbili taluk and whole of Parvathipuram taluk except Kurupam firka"

(ii) For the words 'Lalamkodur, Dimili and Yelamanchili firkas of Yelamanchili taluk' substitute the following: "Lalamkodur, Dimili and Yelamanchili firka except Pedapalli and Kokkirapalli village of Yelamanchili taluk".

(iii) For the words 'Gajapathinagaram taluk, Paderu and Kaligada firkas of Paderu taluk' as inserted in this office addendum dated 19-4-1974 to this office Notification No. 1/72 dated 20-7-1972, the following shall be substituted :—

"Gajapathinagaram taluk except Jaithi firka, Paderu and Kaligada firkas of Paderu taluk".

[C. No. V/4/30/67/73 UMP (U. 4)]

A. S. I. JAFFAR, Collector

समाहर्तलिय, केन्द्रीय उत्पाद शुल्क

गन्तुर, 7 नवम्बर, 1974

संशोधन

(केन्द्रीय उत्पाद शुल्क)

नागपुर, 6 नवम्बर, 1974

क्रा० प्रा० 3393.—इस समाहर्तलिय की दिनांक 20-7-72 की अधिसूचना सं० 1/72 की अनुसूची में निम्नलिखित संशोधन किये जायेंगे।

2. मद सं० 5, विशाखापत्तनम आई० डी० आर० के सामने निम्नलिखित रूप में संशोधन किये जायें।

(i) स्तम्भ सं० 4 में, श्री काकुलम जिले पार्श्वीपुरम, बोन्बिली और सम्पूर्ण सालुर तालुकों के स्थान पर निम्नलिखित शब्द प्रतिस्थापित किये जायें।

"पार्श्वपेन्टा फिरके को छोड़कर पूरा सालुर तालुका, बोन्बिली तालुक और कुक्कम फिरके को छोड़कर सम्पूर्ण पार्श्वीपुरम एवं बोन्बिली तालुका"

(ii) "येलमचिली तालुके के येलमचिली और डिमिली और सालम-कोडूर" शब्दों के स्थान पर निम्नलिखित शब्द प्रतिस्थापित किये जायें।

"येलमचिली तालुके के पेडापल्लि और कोक्किरापल्लि गावों को छोड़कर लालमकोडूर, डिमिली और येलमचिली फिरके"

(iii) इस कार्यालय की दिनांक 20-7-72 की अधिसूचना सं० 1/72 की दिनांक 19-4-74 के अनुबन्ध में जोड़े गये शब्दों अर्थात् पादेरु तालुक के कालीगाडा और पादेरु फिरके के तथा गजपथिनगरम तालुके के स्थान पर निम्नलिखित शब्द प्रतिस्थापित किये जायेंगे।

"पादेरु तालुके के कालीगाडा और पादेरु फिरके और जैथी फिरके को छोड़कर गजपथिनगरम तालुका"।

[सी सं० बी/4/30/67/73-यू० एम० पी० (यू० 4)]

ए० एस० आई० जाफर, समाहर्ता

क्रा० प्रा० 3394 —केन्द्रीय उत्पाद शुल्क नियमावली 1944 के नियम 5 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुये म आर० एम० शुल्का, समाहर्ता, केन्द्रीय उत्पाद शुल्क नागपुर एतद्वारा नागपुर केन्द्रीय उत्पाद शुल्क समाहर्ताक्षेत्र के निम्नलिखित मारणी के स्तम्भ 4 में वर्णित गये अधिकारियों का अपने अपने अधिकार क्षेत्र में स्तम्भ 3 में उल्लिखित विद्युत अथवा भाप की सहायता के बिना प्रक्रियागत सूती वस्त्र के सम्बन्ध में विशेष कार्यविधि से सम्बन्धित केन्द्रीय उत्पाद शुल्क नियमावली 1944 के नियमों के अन्तर्गत समाहर्ता की शक्तियों का प्रयोग करने का अधिकार देता है।

मारणी

क्रम सं० प्रत्यायोजित शक्तियों के स्वरूप केन्द्रीय उत्पाद शुल्क नियम अधिकारी का पद

1	2	3	4
1	पूर्ण अवधि अथवा अपेक्षाकृत कम अवधि के लिये विशेष कार्यविधि के सम्बन्ध में प्रथम आवेदन-पत्र को स्वीकार करना	96 जैड प्रो० (1) अधीक्षक तथा 96 जैड प्रो० (2)	अधीक्षक
2	जिन अवधि के लिये निर्माता को अनुमति दी गई थी उसके दौरान इस प्रकार की कार्य-विधि का लाभ नहीं उठाने के सम्बन्ध में समुचित नोटिस नहीं	96 जैड प्रो० (3)	सहायक समाहर्ता

table below to exercise within their respective jurisdictions the powers of Collector relating to the special Procedure in respect of Cotton Fabrics processed without the aid of power or steam, under the Central Excise Rules, mentioned in Column 3 of the table

TABLE

S. No.	Nature of powers to be exercised	C. Ex. Rules	Rank of Officers
1	2	3	4
1.	To accept first application for the special procedure for a full period or for a shorter period.	96-ZO (1) & 96-ZO(2)	Superintendent
2.	To preclude a manufacturer from working under the special procedure for failure to give proper notice for not availing of such procedure during the period for which permission has been granted to him.	96-ZO(3)	Asstt. Collector
3. (a)	To accept renewal application in form ASP.	96-ZO(4)	Superintendent
(b)	To condone delay in submission of ASP for renewal.	96-ZO(4)	(i) Supdt. for condoning delays not exceeding 15 days. (ii) Asstt. Collector for condoning delays exceeding 15 days.
4.	To condone delay in submission of application for removal in form A.R. 11 and to condone delays in making monthly deposits.	96-ZQ(2)	(1) Supdt. for condoning delays not exceeding 5 days in each case. (2) Asstt. Collector if the delay exceeds the limits under (1) above.
5.	To impose following penalties for misdeclaration, etc.		
(i)	to demand difference of duty.	96-ZS	(i) Superintendent.
(ii)	to confiscate goods	96-ZS	(ii) Adjudicating Officer in accordance with their limits of powers.
(iii)	to impose penalty not exceeding five thousand.	96-ZS	(iii) Adjudicating Officer in accordance with their limits of powers.

[सी० सं० बी (19) 8-1/74-सी० 12]

आर० एन० शुक्ला, समाहर्ता

(Central Excise)

Nagpur, the 6th November, 1974

S.O. 3394.—In exercise of the powers vested in me under Rule 5 of the Central Excise Rules, 1944, I, R.N. Shukla, Collector of Central Excise, Nagpur, hereby authorise the officers in the Nagpur Central Excise Collectorate specified in column 4 of the

[C. No. V. (19) 8-1/74-C XII]
R. N. SHUKLA, Collector

विदेश मंत्रालय

नई दिल्ली, 21 नवम्बर, 1974

बाणिज्य मंत्रालय

नई दिल्ली, 28 दिसम्बर, 1974

का०आ० 3395.—हज समिति अधिनियम 1959 के खंड 12 (1) द्वारा भारत सरकार को प्रवृत्त शक्तियों का प्रयोग करते हुये, 1 अप्रैल 1975 से हज समिति, बम्बई में कार्यकारी अधिकारी का पद एतद्द्वारा ५० 1200-50-1600 के वेतनमान से बढ़ा दिया गया है, जिसका दर्जा भारत सरकार में अवर सचिव के दर्जे के बराबर होगा।

2. श्री एम० एच० सिद्दिकी को एतद्द्वारा हज समिति, बम्बई में कार्यकारी अधिकारी नियुक्त किया गया है। वह विदेश मंत्रालय में अवर सचिव के पद से सेवा निवृत्त होने पर, 1 अप्रैल 1975 से ही कार्यकारी अधिकारी के पद का कार्यभार संभालेगा। जिस तारीख से श्री सिद्दिकी पद का कार्यभार संभालेगा उसी तारीख से इस मंत्रालय से मऊदी अरब में रखात और मुसाफिर खाना से सम्बद्ध कार्य हज समिति के कार्यकारी अधिकारी को स्वतन्त्रित कर दिया जायेगा परन्तु वह पूर्ण रूप से इस मंत्रालय के नियंत्रण में रहेगा।

3. पद का दर्जा बढ़ाने, इसका वेतनमान बढ़ाने और उपर्युक्त कार्य का स्वतन्त्रित करने के सम्बन्ध में जारी किये गये आदेश, उक्त तारीख से लागू होंगे जिस तारीख से श्री सिद्दिकी इस पद का कार्यभार संभालेंगे।

[सं० एम० (हज)/118-1/34/74]

अकबर खलीली, निदेशक,

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 21st November, 1974

S.O. 3395.—In exercise of the powers vested in the Government of India in terms of Section 12(1) of the Haj Committee Act, 1959, the post of Executive Officer in the Haj Committee, Bombay, is hereby up-graded to the scale of pay of Rs. 1,200-50-1,600 with status equivalent to an Under Secretary in the Government of India with effect from 1st April, 1975.

2. Shri M. H. Siddiqi, is hereby appointed as Executive Officer in the Haj Committee, Bombay. He will assume charge as Executive Officer w.e.f. 1st April, 1975 only, on his superannuation from Government service as Under Secretary in the Ministry of External Affairs. The work relating to Ribats and Musafir Khanas in Saudi Arabia and Iraq will be transferred to the Executive Officer of the Haj Committee from this Ministry from the date Shri Siddiqi assumes charge of the post but will remain under the overall control of this Ministry.

3. The orders in respect of up-grading of post, its scale of pay and transfer of work referred to above, will apply to and take effect from the date of assumption of charge by Shri Siddiqi.

[No. M(Haj)/118-1/34/74]

AKBAR KHALEELI, Director

का० आ० 3396.—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार मिलाई मशीन निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1967 में और आगे संशोधन के लिये निम्नलिखित नियम एतद्द्वारा बनाती है,

1 (1) इन नियमों का नाम मिलाई मशीन आयात (क्वालिटी नियंत्रण और निरीक्षण) संशोधन नियम, 1974 है।

(2) ये राजपत्र में प्रकाशित होने की तारीख को प्रवृत्त होंगे।

2. मिलाई मशीन निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1967 में नियम 8 के स्थान पर निम्नलिखित नियम रखा जाएगा, अर्थात्—

“अपील—(1) नियम 4 के उपनियम (4) के अधीन अभि-करण द्वारा ऐसे प्रमाण-पत्र देने के इन्कार से व्यथित कोई व्यक्ति उसके द्वारा ऐसे इन्कार की सूचना प्राप्त होने के 10 दिन के भीतर, तीन से अधिक किन्तु सात से अधिक ऐसे विशेषज्ञों के पैनल को अपील कर सकेगा जो इन नियमों के अधीन मामलों से उद्भूत अपीलों की सुनवाई और विनिश्चय के प्रयोजनार्थ, केन्द्रीय सरकार द्वारा नियुक्त किये जाएंगे।”

(2) विशेषज्ञों के पैनल का कुल सदस्यता का कम-से-कम दो तिहाई गैर-सरकारी सदस्यों का होगा।

(3) पैनल का कोरम तीन का होगा।

(4) ऐसी अपील पर पैनल का विनिश्चय अन्तिम होगा।

(5) अपील, उसके प्राप्त होने के 15 दिन के भीतर निपटाई जाएगी।

[सं० 6(5)/74-ई आई एड ई पी]

के०वी० बालमुखाणियम्, उप निदेशक

MINISTRY OF COMMERCE

New Delhi, the 28th December, 1974

S.O. 3396.—In exercise of the powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules further to amend the Export of Sewing Machines (Quality Control and Inspection) Rules, 1967.

1. (1) These rules may be called the Export of Sewing Machines (Quality Control and Inspection) Amendment Rules, 1974.

(2) They shall come into force on the date of their publication in the official gazette.

2. In the Export of Sewing Machines (Quality Control and Inspection) Rules, 1967, for rule 8 the following rule shall be substituted, namely:—

“Appeal—(1) Any person aggrieved by the refusal of the inspection agency to issue a certificate under sub-rule (4) of rule 4, may, within ten days of the receipt of the communication of such refusal by him, prefer an appeal to a panel of experts consisting of not less than three but not more than seven persons appointed for the purpose by the Central Government.

(2) At least two thirds of the total membership of the panel of experts shall consist of non-officials.

(3) The quorum for the panel shall be three.

(4) The decision of the panel on such appeal shall be final

(5) The appeal shall be disposed of within 15 days of its receipt."

[No. 6(5)/74-EI&EP]

का० प्रा० 3397.—नियति (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा छोटे औजार और दस्ती औजार नियति (निरीक्षण) नियम, 1967 में और आगे संशोधन के लिए निम्नलिखित नियम बनाती है :

1. (1) इन नियमों का नाम छोटे औजार और दस्ती औजार नियति (क्वालिटी नियंत्रण और निरीक्षण) संशोधन नियम, 1974 है ।

(2) ये राजपत्र में प्रकाशित होने की तारीख को प्रवृत्त होंगे ।

2. छोटे औजार और दस्ती औजार नियति (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1967 में नियम 8 के स्थान पर निम्नलिखित नियम रखा जाएगा, अर्थात् :—

"अपील—(1) नियम (4) के उप-नियम 4, के अधीन अधिकरण द्वारा प्रमाणपत्र देने के हंकार से व्यथित कोई व्यक्ति, उसके द्वारा ऐसे हंकार की संसूचना प्राप्त होने के 10 दिनों के भीतर, तीन से अधिक किन्तु सात से अधिक ऐसे विशेषज्ञों के पैनल को अपील कर सकेगा, जो इन नियमों के अधीन मामलों से उद्भूत अपीलों की सुनवाई और विनिश्चय के प्रयोजनार्थ, केन्द्रीय सरकार द्वारा नियुक्त किए जाएंगे ।

(2) विशेषज्ञों के पैनल की कुल सदस्यता का कम से कम दो-तिहाई गैर सरकारी सदस्यों का होगा ।

(3) पैनल का कोरम तीन का होगा ।

(4) ऐसी अपील पर पैनल का विनिश्चय अन्तिम होगा ।

(5) अपील, उसके प्राप्त होने से पन्द्रह दिनों के भीतर निपटाई जाएगी ।"

[सं० 6(5)/74-ई० 1 एण्ड ई० पी०]

S.O. 3397.—In exercise of the powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules further to amend the Export of Small Tools and Hand Tools (Quality Control and Inspection) Rules, 1967.

1. (1) These rules may be called the Export of Small Tools and Hand Tools (Quality Control and Inspection) Amendment Rules, 1974.

(2) They shall come into force on the date of their publication in the official gazette.

2. In the Export of Small Tools and Hand Tools (Quality Control and Inspection) Rules, 1967, for rule 8 the following rule shall be substituted, namely :—

"Appeal—(1) Any person aggrieved by the refusal of the inspection agency to issue a certificate under sub-rule (4) of rule 4, may, within ten days of the receipt of the communication of such refusal by him, prefer an appeal to a panel of experts consisting of not less than three but not

more than seven persons, appointed for the purpose by the Central Government.

(2) At least two thirds of the total membership of the panel of experts shall consist of non-officials.

(3) The quorum for the panel shall be three.

(4) The decision of the panel on such appeal shall be final.

(5) The appeal shall be disposed of within 15 days of its receipt."

[No. 6(5)/74-EI&EP]

का० प्रा० 3398.—नियति (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार डीजल इंजिन नियति (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1967 में और आगे संशोधन के लिए एतद्वारा निम्नलिखित नियम बनाती है ;

1. (1) इन नियमों का नाम डीजल इंजिन नियति (क्वालिटी नियंत्रण और निरीक्षण) संशोधन नियम, 1974 है ।

(2) ये राजपत्र में प्रकाशित होने की तारीख को प्रवृत्त होंगे ।

2. डीजल इंजिन नियति (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1967, में नियम 8 के स्थान पर निम्नलिखित नियम रखा जाएगा, अर्थात् :—

"अपील—(1) नियम 4 के उपनियम (4) के अधीन अधिकरण द्वारा प्रमाणपत्र देने के हंकार से व्यथित कोई व्यक्ति, उसके द्वारा ऐसे हंकार की संसूचना प्राप्त करने के 10 दिनों के भीतर, तीन से अधिक किन्तु सात से अधिक ऐसे विशेषज्ञों के पैनल की अपील कर सकेगा जो इन नियमों के अधीन मामलों से उद्भूत अपीलों की सुनवाई और विनिश्चय के प्रयोजनार्थ केन्द्रीय सरकार द्वारा नियुक्त किए जाएंगे ।

(2) विशेषज्ञों के पैनल का कुल सदस्यता का कम से कम दो तिहाई गैर सरकारी सदस्यों का होगा ।

(3) पैनल का कोरम तीन का होगा ।

(4) ऐसी अपील पर पैनल का विनिश्चय अन्तिम होगा ।

(5) अपील, उसके प्राप्त होने से पन्द्रह दिन के भीतर निपटाई जाएगी ।"

[सं० 6 (5)/74-ई० 1 एण्ड ई० पी०]

S.O. 3398.—In exercise of the powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules further to amend the Export of Diesel Engines (Quality Control and Inspection) Rules, 1967.

1. (1) These rules may be called the Export of Diesel Engines (Quality Control and Inspection) Amendment Rules, 1974.

(2) They shall come into force on the date of their publication in the official gazette.

2. In the Export of Diesel Engines (Quality Control and Inspection) Rules, 1967, for rule 8 the following rule shall be substituted, namely :—

"Appeal—(1) Any person aggrieved by the refusal of the inspection agency to issue a certificate under sub-rule (4) of rule 4, may, within ten days of the receipt of the communication of such refusal by him, prefer an appeal to a panel of experts consisting of not less than three but not more than seven persons, appointed for the purpose by the Central Government.

- (2) At least two thirds of the total membership of the panel of experts shall consist of non-officials.
- (3) The quorum for the panel shall be three.
- (4) The decision of the panel on such appeal shall be final.
- (5) The appeal shall be disposed of within 15 days of its receipt."

[No. 6(5)/74-EI&EP]

का० आ० 3339.—निर्यात (इंजालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रबल शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा लघु अभियांत्रिक वस्तु निर्यात (निरीक्षण) नियम, 1965 में और आगे संशोधन के लिए निम्नलिखित नियम बनाती है :—

- 1 (1) इन नियमों का नाम लघु अभियांत्रिक वस्तु निर्यात (निरीक्षण) संशोधन नियम, 1974 है।
- (2) ये राजपत्र में प्रकाशित होने की तारीख को प्रवृत्त होंगे।
- 2 लघु अभियांत्रिक वस्तु निर्यात (निरीक्षण) नियम, 1965, में नियम 7 के स्थान पर निम्नलिखित नियम रखा जाएगा, अर्थात् —

"अपील—(1) नियम 4 के उपनियम (6) के अधीन अभिकरण द्वारा प्रमाणपत्र देने में हंकार में व्यथित कोई व्यक्ति, उसके द्वारा ऐसे हंकार की समीक्षा प्राप्त होने के 10 दिन के भीतर, तीन से अत्यधिक किन्तु सात से अधिक ऐसे विशेषज्ञों के पैनल की अपील कर सकेगा जो इन नियमों के अधीन मामलों से उद्भूत अपीलों की सुनवाई और विनिश्चय के प्रयोजनार्थ केन्द्रीय सरकार द्वारा नियुक्त किए जाएंगे।

(2) विशेषज्ञों के पैनल की कुल संख्या का कम से कम दो तिहाई गैर-सरकारी सदस्यों का होगा।

(3) पैनल का कोरम तीन का होगा।

(4) ऐसा अपील पर पैनल का विनिश्चय अन्तिम होगा।

(5) अपील, उसके प्राप्त होने से पन्द्रह दिन के भीतर निपटाई जाएगी।

[सं० 6(5)/74-नि० तथा नि० सं०]

के० बी० बालसुब्रह्मण्यम, उपनिदेशक

(2) They shall come into force on the date of their publication in the official gazette.

2. In the Export of Light Engineering Products (Inspection) Rules, 1965, for rule 7 the following rule shall be substituted, namely :—

"Appeal—(1) Any person aggrieved by the refusal of the inspection agency to issue a certificate under sub-rule (6) of rule 4, may, within ten days of the receipt of the communication of such refusal by him, prefer an appeal to a panel of experts consisting of not less than three but not more than seven persons, appointed for the purpose by the Central Government.

- (2) At least two thirds of the total membership of the panel of experts shall consist of non-officials.
- (3) The quorum for the panel shall be three.
- (4) The decision of the panel on such appeal shall be final.
- (5) The appeal shall be disposed of within 15 days of its receipt."

[No. 6(5)/74-EI&EP]

K.V. BALASUBRAMANIAM, Deputy Director.

(उप-मुख्य नियंत्रक, आयात निर्यात का कार्यालय)

आदेश

हैदराबाद 17 जुलाई, 1974

का० आ० 3400.—सर्वश्री उमा इन्डस्ट्रीज, 5-3-673, शंकर बाग, हैदराबाद को राज्य व्यापार निगम भाग्न लि० से माल के प्राश्नटन के लिये 1. रेडिमिल बेजिन/प्रकाशन बेजिन, 2. कास्टिक सोडा, 3. मोडा गैस एव 4. यूरिया (रामायणों) के लिये 55,040 रु० का एक रिहाई आदेश सं० पी/एम/आर/724766 दिनांक 30-3-74 स्वीकृत किया गया था।

उन्होंने रिहाई आदेश की प्रतिलिपि प्रति के लिये इस आधार पर आवेदन किया है कि मूल रिहाई आदेश माल के संभरण के लिये प्रस्तुत किए बिना और उसका विस्तृत उपयोग किए बिना ही खो गया अथवा अस्थानस्थ हो गया है।

अपने तर्कों के समर्थन में उन्होंने एक शपथ-पत्र दाखिल किया है। मैं संतुष्ट हूँ कि मूल रिहाई आदेश खो गया है और निदेश देना हूँ कि आवेदक को प्रतिलिपि रिहाई आदेश जारी किया जाना चाहिये। रिहाई आदेश की मूल प्रति एतद्वारा रद्द की जाती है।

[फा० सं० यू-9/एस एस आई/पी-31/एएम 74-ईव.]

(Office of the Dy. Chief Controller of Imports and Exports)

ORDER

Hyderabad, the 17th July, 1974

S.O. 3399.—In exercise of the powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules further to amend the Export of Light Engineering Products (Inspection) Rules, 1965.

1(1) These rules may be called the Export of Light Engineering Products (Inspection) Amendment Rules, 1974.

116 GI/74—4

S.O. 3400.—M/s. Uma Industries, 5-3-672, Shankar Bagh Hyderabad were granted a Release Order No. P/S/R/724766 dated 30-3-74 for Rs. 55,040 for the items 1. Do-

decyl Benzene/Alkyl Benzene 2. Caustic Soda 3. Soda Ash & 4. Urea (Chemicals) for allotment of materials from State Trading Corporation of India Limited.

They have applied for a duplicate copy of Release Order on the ground that the original Release Order has been lost or misplaced without having been produced for supply of goods or utilised at all.

In support of their contention they have filed an affidavit. I am satisfied that the original copy of Release Order is lost and direct, that a duplicate Release Order should be issued to the applicant. The original copy of Release Order is hereby cancelled.

[F. No. U-9/SSI/P-31/AM-74/Hyd.]

हैदराबाद, 27 सितम्बर, 1974

क्रा० आ० 3401—सर्वश्री विल्सन बिस्कुट फैक्ट्री, 5-6-384/1, नमपल्ली, हैदराबाद को सामान्य मुद्रा क्षेत्र से (1) अप्रैल-मार्च 74 नीति के अनुसार 2,500 रुपये (दो हजार पांच सौ रुपये मात्र) तक मारणीय और निषेध मर्चों से भिन्न स्वीकृत किस्म के प्राकृतिक सुगंधित तेल मर्चों (2) 1000 रुपये (एक हजार रुपये मात्र) तक बिमोल के आयात के लिए सर्वश्री शक्ति इंडस्ट्रीज, 10-521 अपोजिट पुलिस मेस, मजबूत टैंक, हैदराबाद के नाम से प्राधिकार पत्र के साथ एक आयात लाइसेंस सं० पी/एस/1743057/सी/एक्स एक्स/50/डब्ल्यू/37-38 दिनांक 14-2-74 मूल्य 3,500 रु० (तीन हजार पांच सौ रुपये मात्र) स्वीकृत किया गया था।

उन्होंने प्राधिकार पत्र के साथ लाइसेंस की अनुलिपि सीमाशुल्क कार्यसम्बन्धी प्रति के लिए इस आधार पर आवेदन किया है कि प्राधिकार पत्र के साथ मूल लाइसेंस किसी भी सीमाशुल्क प्राधिकारी के पास पंजीकृत करण बिना और बिल्कुल उपयोग किए बिना ही खो गया है।

अपने तर्क के समर्थन में आवेदक ने एक शपथपत्र दाखिल किया है। मैं संतुष्ट हूँ कि प्राधिकार पत्र के साथ लाइसेंस की मूल सीमाशुल्क कार्यसम्बन्धी प्रति खो गई है और निदेश देता हूँ कि आवेदक को प्राधिकार पत्र के साथ लाइसेंस की अनुलिपि सीमाशुल्क कार्यसम्बन्धी प्रति जारी की जानी चाहिए। प्राधिकार पत्र के साथ लाइसेंस की मूल सीमाशुल्क कार्यसम्बन्धी प्रति एवद्वारा रद्द की जाती है।

[क्रा सं० डब्ल्यू-7/एस एस आई/एन पी/ए एम 74/002904/ई०]

पी० गोविन्द राजू, उप-मुख्य नियंत्रक

Hyderabad, the 27th September, 1974

S.O. 3401.—M/s. Wilson Biscuit Factory, 5-6-384/1, Namrally, Hyderabad were granted an import Licence No. P/S/1743057/C/XX/50/W/37-38 dated 14-2-74 for Rs. 3,500 (Rupees three thousand and five hundred only) for the items

(1) permissible varieties of Natural Essential Oils as per April-March 74 policy upto Rs. 2,500 (Rupees two thousand and five hundred only) other than canalised and banned item (2) Thymol upto Rs. 1,000 (Rupees one thousand only) for import from General Currency Area with letter of authority in favour of M/s. Shakthi Industries, 10-5-21 Opp. to Police Mess, Masab Tank, Hyderabad.

They have applied for duplicate copy of the Customs Purpose copy of letter of authority on the ground that the original licence with letter of authority have been lost without having been registered with any Customs authority and utilised at all.

In support of their contention they have filed an affidavit. I am satisfied that the original customs copy of the licence with letter of authority is lost and direct, that a duplicate Customs Purpose copy of licence with letter of authority should be issued to the applicant. The original Customs Purpose copy of the licence with letter of authority is hereby cancelled.

[File No. W-7/SSI/NP/AM 74/002904/Hyd]

P. GOVINDA RAJU, Dy. Chief Controller

आदेश

बंगलूर, 31 अगस्त, 1974

क्रा० आ० 3402.—सर्वश्री डाली ड्रेसिज शक्ति मेन्शन, 5, उत्तरावि मट्ट रोड, चिकपेट, बंगलूर, 2-ए को औद्योगिक मिलाई मशीनों के फालतू पुर्जों के आयात के लिये 20,000 रुपये का एक आयात लाइसेंस संख्या पी/एस/1829104/सी/एक्स एक्स/50/37-38, दिनांक 4-3-74 स्वीकृत किया गया था। उन्होंने उक्त लाइसेंस की सीमाशुल्क प्रयोजन प्रति की अनुलिपि प्रति के लिये इस आधार पर आवेदन किया है कि लाइसेंस की उपर्युक्त मूल सीमाशुल्क प्रयोजन प्रति किसी भी सीमाशुल्क प्राधिकारी के पास पंजीकृत करण बिना और उसका बिल्कुल उपयोग किए बिना ही खो गई है और अब उपर्युक्त लाइसेंस की सीमाशुल्क प्रयोजन प्रति की अनुलिपि प्रति की आवश्यकता लाइसेंस के पूरे मूल्य अर्थात् 20,000 रुपये के लिये है।

उपर्युक्त तर्क के समर्थन में आवेदक ने एक शपथपत्र दाखिल किया है। मैं संतुष्ट हूँ कि उक्त लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति खो गई है और निदेश देता हूँ कि आवेदक को उपर्युक्त लाइसेंस की सीमाशुल्क प्रयोजन प्रति की अनुलिपि प्रति जारी की जानी चाहिए। उक्त लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति एवद्वारा रद्द की जाती है।

[संख्या आईटीसी/एसएसआई/डी आई/सी/305 एव 414/एएम/74/एनसी/एनपी]

आर० जयराम नायडू, उप-मुख्य नियंत्रक

ORDER

Bangalore, the 31st August, 1974

S.O. 3402.—M/s. Dolly Dresses, Shakti Mansion, 5, Uttaradi Mutt Road, Chichpet, Bangalore-2A were granted import licence No. P/S/1829104/C/XX/50/X/37-38 dated 4-3-74 for Rs. 20,000 for import of Industrial Sewing Machines and spare parts. They have now applied for duplicate copy of Customs Purposes copy of the above licence on the ground that the original of the above Customs purposes copy of the licence has been lost without having been registered with any Customs Authorities and not utilised at all and that the duplicate copy of Customs purposes copy of the above licence now required is for the full value of the licence Rs. 20,000.

In support of the above contention the applicant have filed an affidavit. I am satisfied that the original Customs purposes copy of the above licence has been lost and direct that a duplicate copy of the Customs Purposes copy of the above licence should be issued to the applicant. The original Customs Purposes copy of the above licence is hereby cancelled.

[No. ITC/SSI/DI/C/305 & 414/AM/74/NC/NP]
R. JAYARAM NAIDU, Dy. Chief Controller

आदेश

हैदराबाद, 4 अक्टूबर, 1974

क्रा० आ० 3403.—सर्वश्री सुप्रीम इण्डस्ट्रीज 10-5-264 नई बस्ती धर्ममवनगर, हैदराबाद-28 को सामान्य मुद्रा क्षेत्र से अप्रैल-मार्च 74 अवधि के लिए रेडबुक के अनुसार (1) सरणीबद्ध एवं प्रतिबन्धित से भिन्न 1000 रुपए (एक हजार रुपए मात्र) तक स्वीकृत किस्म के प्राकृतिक सुगंधित तेल (2) 1000 रुपए (एक हजार रुपए मात्र) तक धिमोल मसो के आयात के लिए सर्वश्री शक्ति इण्डस्ट्रीज, 10-5-21 मजबू टैंक, हैदराबाद के नाम से प्राधिकार पत्र के साथ 2000 रुपए का एक आयात लाइसेंस सं० पी/एम/17422770/सी/एक्स एक्स/50/डब्ल्यू/37-38 दिनांक 7-1-74 स्वीकृत किया गया था।

उन्होंने प्राधिकार पत्र की सीमाशुल्क प्रयोजन प्रति के साथ लाइसेंस की अनुमिति सीमाशुल्क प्रयोजन प्रति के लिए इस आधार पर आवेदन किया है प्राधिकार पत्र के साथ मूल लाइसेंस बिल्कुल उपयोग किए बिना ही खो गया है।

अपने लर्क के समर्थन में उन्होंने एक शपथपत्र दाखिल किया है। मैं संतुष्ट हूँ कि प्राधिकार पत्र के साथ लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति खो गई है और निवेश देता हूँ कि आवेदन को प्राधिकार पत्र के साथ लाइसेंस की अनुमिति सीमाशुल्क प्रयोजन प्रति जारी की जानी चाहिए। प्राधिकार पत्र के साथ लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति एतद्वारा रद्द की जाती है।

[संख्या एम-140/एम एस आई/एन/पी/एम-74/002905/हैद.]

ORDER

Hyderabad, the 4th October, 1974

S.O. 3403.—M/s. Supreme Industries 10-5-164 New Basti, Ahmednagar, Hyderabad-28 were granted an import licence No. P/S/1742770/C/XX/50/W/37-38 dated 7-1-74 for Rs. 2,000 (Rupees two thousand only) for the items (1) permissible varieties of Natural Essential Oils as per April-March 74 Red Book other than canalised and restricted upto Rs. 1,000 (Rupees one thousand only) (2) Thymol upto Rs. 1,000 (Rupees one thousand only) for import from General Currency Area together with Letter of Authority in favour of M/s. Shakti Industries, 10-5-21 Masab Tank, Hyderabad.

They have applied for a duplicate copy of the Customs Purposes Copy of the licence with Customs Purposes copy of Letter of Authority on the ground that the original licence with Letter of Authority has been lost without having been utilised at all.

In support of their contention they have filed an affidavit. I am satisfied that the original Customs Purposes Copy of the licence with Letter of Authority is lost and direct, that a duplicate Customs Purposes Copy of licence with Letter of Authority should be issued to the applicant. The original Customs Purposes Copy of the licence with Letter of Authority is hereby cancelled.

[No. S-140/SSI/NP/AM-74/002905/Hyd.]

आदेश

हैदराबाद, 10 अक्टूबर, 1974

क्रा० आ० 3404.—सर्वश्री नटराज अग्ररखली, 10-4-37/1 मजबू टैंक सरोजनी देवीआई अस्पताल के पास, हैदराबाद-28 को सामान्य मुद्रा क्षेत्र से अप्रैल-मार्च 74 अवधि के लिए रेडबुक के अनुसार (1) सरणीबद्ध एवं प्रतिबन्धित से भिन्न 1000 रुपए (एक हजार रुपए मात्र) तक स्वीकृत किस्म के प्राकृतिक सुगंधित तेल (2) 1000 रुपए (एक हजार रुपए मात्र) तक धिमोल मसो के आयात के लिए सर्वश्री शक्ति इण्डस्ट्रीज, 10-5-21 मजबू टैंक, हैदराबाद के नाम से प्राधिकार पत्र के साथ 2000 रुपए का एक आयात लाइसेंस सं० पी०/एम/1742773/सी/एक्स एक्स/50/डब्ल्यू/37-38 दिनांक 8-1-74 स्वीकृत किया गया था।

उन्होंने प्राधिकार पत्र की सीमाशुल्क प्रयोजन प्रति के साथ लाइसेंस की अनुमिति सीमाशुल्क प्रयोजन प्रति के लिए इस आधार पर आवेदन किया है कि प्राधिकार पत्र के साथ मूल लाइसेंस बिल्कुल उपयोग किए बिना ही खो गया है।

अपने लर्क के समर्थन में उन्होंने एक शपथ-पत्र दाखिल किया है। मैं संतुष्ट हूँ कि प्राधिकार पत्र के साथ लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति खो गई है और निवेश देता हूँ कि आवेदन को प्राधिकार पत्र के साथ लाइसेंस की अनुमिति सीमाशुल्क प्रयोजन प्रति जारी की जानी चाहिए। प्राधिकार पत्र के साथ लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति एतद्वारा रद्द की जाती है।

[संख्या एन 52/एम एस आई/एन पी/एम 74/002906/हैद.]

ORDER

Hyderabad, the 10th October, 1974

S.O. 3404.—M/s. Nataraj Agarbathi, 10-4-37/1 Masab Tank, Near Sarojini Devi Eye Hospital, Hyderabad-28 were granted an import licence No. P/S/1742773/C/XX/50/W/37-38 dated 8-1-74 for Rs. 2,000 (Rupees two thousand only) for the items (1) permissible varieties of Natural Essential Oils as per April-March 74 Red Book other than canalised and restricted upto Rs. 1,000 (Rupees one thousand only) (2) Thymol upto Rs. 1,000 (Rupees one thousand only) for import from General Currency Area together with Letter of Authority in favour of M/s. Shakthi Industries, 10-5-21, Masab Tank, Hyderabad.

They have applied for a duplicate copy of the Customs Purposes copy of the licence with Customs Purposes copy of Letter of Authority on the ground that the original licence with Letter of Authority has been lost without having been utilised at all.

In support of their contention they have filed an affidavit. I am satisfied that the original Customs Purposes Copy of the licence with Letter of Authority is lost and direct, that a duplicate Customs Purposes Copy of licence with Letter of Authority should be issued to the applicant. The original Customs Purposes copy of the licence with Letter of Authority is hereby cancelled.

[No. N-52/SSI/NP/AM-74/002906/Hyd.]

क्रा० प्रा० 3405.—सर्वश्री शक्ति इन्डस्ट्रीज, 10-5-21 अपोजिटस पुलिस आफिसर मस मजब, टैंक, हैदराबाद को सामान्य मुद्रा क्षेत्र से (1) अप्रैल-मार्च 74 के अनुसार 1000 रुपए (एक हजार रुपए मात्र) तक मरणीबद्ध एवं प्रतिबंधित से भिन्न किस्म के प्राकृतिक सुगंधित तेल मर्बों एवं (2) 1000 रुपए तक थिमोल के आयात के लिए, 2000 रुपये (दो हजार रुपए मात्र) का एक आयात लाइसेंस सं० 1742777/सी/एक्स एक्स/50/डब्ल्यू/37-38 दिनांक 8-1-74 स्वीकृत किया गया था।

उन्होंने लाइसेंस की अनुलिपि सीमाशुल्क प्रयोजन प्रति के लिए इस आधार पर आवेदन किया है कि मूल लाइसेंस बिल्कुल उपयोग किए बिना ही खो गया है।

अपने तर्क के समर्थन में आवेदक ने एक शपथ-पत्र दाखिल किया है। मैं संतुष्ट हूँ कि लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति खो गई है और निदेश देता हूँ कि आवेदक को लाइसेंस की अनुलिपि सीमाशुल्क प्रति जारी की जानी चाहिए। लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति एतद्वारा रद्द की जाती है।

[संख्या एस-141/एस एस आई/एस पी/ए एस 74/002907/हैद०]

S.O. 3405.—M/s. Shakthi Industries, 10-5-21 Opp. Police Officers Mess, Masab Tank, Hyderabad-28 were granted an

import licence No. 1742777/C/XX/50/W/37-38 dated 8-1-74 for Rs. 2,000 (Rupee two thousand only) for the items (1) Natural Essential Oils as per April-March 74 Red Book other than canalised and restricted upto Rs. 1,000 (Rupee one thousand only) (2) Thymol upto Rs. 1,000 (Rupees one thousand only) for import from General Currency Area.

They have applied for a duplicate copy of the Customs Purposes Copy of the licence on the ground that the Original licence has been lost without having been utilised at all.

In support of their contention they have filed an affidavit. I am satisfied that the original Customs Purposes Copy of the licence is lost and direct, that a duplicate Customs Purposes Copy of licence should be issued to the applicant. The original Customs Purposes Copy of the licence is hereby cancelled.

[No S-141/SSI/NP/AM-74/002907/Hyd.]

आदेश

हैदराबाद 11 अक्टूबर, 1974

क्रा० प्रा० 3406.—सर्वश्री राज एण्ड कं० 11-2-966/61 हबीबनगर, मल्ले-पल्ली हैदराबाद को सामान्य मुद्रा क्षेत्र से अप्रैल-मार्च 74 अवधि के लिए रेड बुक के अनुसार (1) 2500 रुपए (दो हजार पांच सौ ०० मात्र) तक स्वीकृत किस्म के प्राकृतिक सुगंधित तेल (2) 1000 रुपए (एक हजार रुपए मात्र) तक थिमोल मर्बों के आयात के लिए सर्वश्री शक्ति इन्डस्ट्रीज 10-5-21 मजब टैंक, हैदराबाद के नाम में प्राधिकार पत्र के साथ 3500 रुपए का एक आयात लाइसेंस सं० पी/एस/1743077/सी/एक्स एक्स/50/डब्ल्यू/37-38 दिनांक 15-2-74 स्वीकृत किया गया था।

उन्होंने प्राधिकार पत्र की सीमाशुल्क प्रयोजन प्रति के साथ लाइसेंस की अनुलिपि सीमाशुल्क प्रयोजन प्रति के लिए इस आधार पर आवेदन किया है कि प्राधिकार पत्र के साथ मूल लाइसेंस बिल्कुल उपयोग किए बिना ही खो गया है।

अपने तर्क के समर्थन में उन्होंने एक शपथ-पत्र दाखिल किया है। मैं संतुष्ट हूँ कि प्राधिकार पत्र के साथ लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति खो गई है और निदेश देता हूँ कि आवेदक को प्राधिकार पत्र के साथ लाइसेंस की अनुलिपि सीमाशुल्क प्रयोजन प्रति जारी की जानी चाहिए। प्राधिकार पत्र के साथ लाइसेंस की मूल सीमा शुल्क प्रयोजन प्रति एतद्वारा रद्द की जाती है।

[संख्या/आर-97/एस एस आई/एन पी/ए एस 74/003000/हैद०]

एस० एस० बीडवाणी, उप मुख्य नियंत्रक

ORDER

Hyderabad, the 11th October, 1974

S.O. 3406.—M/s. Raj & Co., 11-2-996/1 Habeebnagar, Mallepally, Hyderabad were granted an import licence No.

P/S/1743077/C/XX/50/W/37-38 dated 15-2-74 for Rs 3,500 (Rupees three thousand and five hundred only) for the items (1) permissible varieties of Natural Essential Oils as per April-March 74 policy upto Rs 2,500 (Rupees two thousand and five hundred only) (2) Thymol upto Rs 1,000 (Rupees one thousand only) for import from General Currency Area together with Letter of Authority in favour of M/s Shakthi Industries, 10-5-21 Masab Tank, Hyderabad

They have applied for a duplicate copy of the Customs Purposes Copy of the licence with Customs Purposes Copy of Letter of Authority on the ground that the original licence with Letter of Authority has been lost without having been utilised at all

In support of their contention they have filed an affidavit I am satisfied that the original Customs Purposes Copy of the licence with Letter of Authority is lost and direct, that a duplicate Customs Purposes Copy of licence with Letter of Authority should be issued to the applicant. The original Customs Purposes Copy of the licence with Letter of Authority is hereby cancelled

[No R 97/SSI/NP/AM-74/003000/Hyd]

P GOVINDA RAJU, Dy Chief Controller

मुख्य नियन्त्रक, आयात निर्यात का कार्यालय

प्रादेश

नई दिल्ली 17 दिसम्बर, 1974

का० प्रा० 3407.—निदेशक, रेलवे भण्डागार, रेलवे बोर्ड, नई दिल्ली को 33,53,000/ रुपये मूल्य का एक आयात लाइसेंस सं० जी/आर/208865, दिनांक 9-5-72 प्रदान किया गया था। उन्होंने लाइसेंस की मुद्रा विनियम नियंत्रण प्रति की अनुलिपि जारी करने के लिये इस आधार पर आवेदन किया है कि मूल मुद्रा विनियम नियंत्रण प्रति सीमाशुल्क कार्यालय, कलकत्ता में पंजीकृत कराने के बाद और 23,49,598/- रुपये की आंशिक सीमा तक उपयोग होने के बाद अस्थानस्थ हो गई है। अपने तर्क के समर्थन में आवेदक ने स्टाम्प पेपर पर एक शपथ पत्र दाखिल किया है। मैं संतुष्ट हूँ कि आयात लाइसेंस सं० जी/आर/208865 दिनांक 9-5-72 की मूल मुद्रा विनियम नियंत्रण प्रति अस्थानस्थ हो गई है और इसकी अनुलिपि आवेदक को जारी की जानी चाहिये।

समय समय पर यथावशाधित आयात व्यापार (नियंत्रण) प्रादेश सं० 17/55 दिनांक 7-12-55 की धारा 9 (सी सी) द्वारा प्रवृत्त अधिकारों का प्रयोग करते हुए अधोहस्ताक्षरी निदेशक, रेलवे भण्डागार, रेलवे बोर्ड, नई दिल्ली को जारी किए गए उक्त आयात लाइसेंस की मुद्रा विनियम नियंत्रण प्रति को रद्द करता है।

[संख्या 5, जी/रेलवे/73-74/जी एल एस 112]

ORDER

New Delhi, the 17th December, 1974

S.O. 3407.—The Director of Railway Stores, Railway Board New Delhi, was granted an import licence No G/R/2088656 dt 9-5-72 for Rs 33,53,000. He has applied for the issue of Duplicate Exchange copy of the same on the ground that the original Exchange copy of import licence has been

misplaced after having been registered at Calcutta Customs House and partly utilised to the extent of Rs 23,49,598. In support of their contention, the applicant has filed an affidavit on stamped paper. I am satisfied that the original Exchange copy of import licence No G/R/2088656 dt 9-5-72 has been misplaced and duplicate Exchange copy of the same should be issued to the applicant.

In exercise of the powers conferred on me by clause 9(cc) of the import (control) order No 17/55 dt 7-12-55 as amended from time to time the undersigned Cancel the Exchange copy of the said import licence issued in favour of The Director of Railway Stores, Railway Board New Delhi

[No 5 D/Rly/73-74/GLS/112]

प्रादेश

नई दिल्ली 19 दिसम्बर 1974

का० प्रा० 3408.—सर्वोच्च इन्डियन आयल कारपोरेशन लि०, बम्बई का सं०/संयुक्त राज्य अमरीका से 85600 लीटर मोबिलमेट 33-प्रोप-ब्रांड के आयात के लिये 1,07,000 रुपये के लागत-बीमा-भाड़ा मूल्य का एक आयात लाइसेंस सं० जी/आर/2453750/मी/एक्स एम्स/47/एच/35-36 दिनांक 24-4-73 प्रदान किया गया था। उन्होंने उपर्युक्त लाइसेंस की सीमाशुल्क निकासी प्रति की अनुलिपि जारी करने के लिये इस कार्यालय से इस आधार पर अनुरोध किया है कि मूल सीमाशुल्क निकासी प्रति सीमाशुल्क कार्यालय, बम्बई में पंजीकृत कराने के बाद और बिल्कुल ही उपयोग किये बिना आग में नष्ट हो गई है। इसके समर्थन में आवेदक ने एक शपथ पत्र दाखिल किया है। मैं संतुष्ट हूँ कि उपर्युक्त आयात लाइसेंस की मूल सीमाशुल्क निकासी प्रति आग में नष्ट हो गई है और यह कि उनकी अनुलिपि आवेदक को जारी की जानी चाहिये।

समय-समय पर यथावशाधित आयात व्यापार (नियंत्रण) प्रादेश, 1955 दिनांक 7-12-55 के खण्ड 9 (सी सी) द्वारा प्रवृत्त अधिकारों का प्रयोग करते हुए अधोहस्ताक्षरी आयात व्यापार नियंत्रण अनुसूची 20/5 के अन्तर्गत मोबिलमेट-33-प्रोप-ब्रांड के आयात के लिये सर्वोच्च इन्डियन आयल कारपोरेशन लि०, बम्बई को जारी किया गया 1,07,000 रुपये (लागत बीमा भाड़ा) मूल्य के आयात लाइसेंस सं० जी/आर/2453750/मी/एक्स एम्स/47/एच/35-36 दिनांक 24-4-73 की मूल सीमाशुल्क निकासी प्रति को रद्द करता है।

[सं० 2 आई/कन्ट/73-74/जी एल एस 116]

ORDER

New Delhi, the 19th December, 1974

S.O. 3408.—M/s Indian oil Corporation Ltd Bombay were granted an import licence No G/O/2453750/C/XX/47/H/35-36, dated 24-4-1973 for Rs 1,07,000/CII for the import of 85600 litres of Mobilment 33 Prop. Brand from the UK / U S A. They have applied to this office for issue of a duplicate custom purpose copy of above mentioned licence on the ground that the original custom purposes copy has been destroyed in fire having been registered with Bombay Custom House and not utilised at all. In support of this the applicant has filed an affidavit. I am satisfied that the original custom copy of import licence mentioned above has been destroyed in fire and that duplicate copy thereof should be issued to the applicant.

In exercise of the powers conferred on me under clause 9 (cc) of the Import Trade (control) order No. 17/55, dated 7-12-55 as amended from time to time the undersigned cancels the original custom purpose copy of import licence No. G/O/2453750/C/XX/47/H/35-36, dated 24-4-73, for Rs 1,07,000 (CIF) for the import of mobilment-33 prop. Brand under ITC schedule 20/V issued in favour of M/s. Indian Oil Corporation Ltd. Bombay.

[No. 2-I/Cont/73-74/GLS/116]

आदेश

नई दिल्ली, 19 दिसम्बर, 1974

क्रा० प्रा० 3409.—सर्वश्री इन्डियन आयल कारपोरेशन लि० मार्केटिंग डिवीजन, नई दिल्ली को यू०के/म०एस०ए० से 7500 लीटर्स आयल ओएम 33 के आयात के लिये 12,375/- रुपये का एक आयात लाइसेंस सख्या जी/ओ/2453747/सी/एक्स एक्स/47एच/35-36, दिनांक 24-4-1973 स्वीकृत किया गया था। उन्होंने उक्त लाइसेंस की अनुलिपि सीमाशुल्क प्रयोजन प्रति के लिये इस आधार पर आवेदन किया है कि लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति सीमाशुल्क कार्यालय, बम्बई में पंजीकृत कराने और प्रणत उपयोग के बाद भाग में जल कर नष्ट हो गई है। इस तर्क के समर्थन में आवेदक ने एक भपपत्र दाखिल किया है। मैं सन्तुष्ट हूँ कि उपर्युक्त उल्लिखित आयात लाइसेंस की मूल सीमाशुल्क प्रयोजन प्रति भाग में नष्ट हो गई है और निदेश देता हूँ कि आवेदक को उसी की अनुलिपि प्रति जारी की जानी चाहिये।

अद्यतन यथा संशोधित आयात व्यापार (नियंत्रण) आदेश सख्या 17/1955, दिनांक 7-12-55 को उपधारा 9 (सी सी) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग कर अधोहस्ताक्षरी सर्वश्री इन्डियन आयल कारपोरेशन लि०, नई दिल्ली को आयात व्यापार नियंत्रण अनुसूची 20/5 के अन्तर्गत 12,375/- रुपये (लागत बीमा भाड़ा) के लिये जारी किये गए आयात सख्या: जी/ओ/2453747/सी/एक्स एक्स/47एच 35-36, दिनांक 24-4-73 की मूल सीमाशुल्क प्रयोजन प्रति को रद्द करना है।

[स० 1-आई/कन्ट/73-74/जी एल एस 115]

एन० सी० काजीलाल, उप-मुख्य नियंत्रक

ORDER

New Delhi, the 19th December, 1974

S.O. 3409.—M/s. Indian Oil Corporation Ltd., Marketing Division, New Delhi were granted an import licence No. G/O/2453747/C/XX/47/H/35-36, dated 24-4-1973, for Rs. 12,375 only for the import of 7,500 litres oil OM-33 from the U.K./USA. They have applied to this office for issue of a duplicate customs purpose copy of above mentioned licence on the ground that the original customs purpose copy has been destroyed in fire having been registered with Bombay Custom House and utilised partially. In support of this, the applicant has filed an affidavit. I am satisfied that the original customs copy of import licence mentioned above has been destroyed in fire and that duplicate copy thereof should be issued to the applicant.

In exercise of powers conferred on me under clause 9(cc) of the Import trade (Control) order No. 17/55, dated 7-12-55 as amended from time to time the undersigned cancels the original Customs purposes copy of import licence No. G/O/2453747/C/XX/47/H/35-36, dated 24-4-1973, for Rs. 12,375 (cif) for the import of oil OM-33 under ITC Schedule 20/V, issued in favour of M/s. Indian Oil Corporation Ltd., New Delhi.

[File No. 1-I/Cont/73-74/GLS/115]

N. C. KANJILAL, Dy. Chief Controller.

उद्योग तथा नागरिकवृत्ति मंत्रालय

(भारतीय मानक संस्था)

नई दिल्ली, 13 दिसम्बर, 1974

क्रा० प्रा० 3410—भारत के राजपत्र भाग II—खण्ड 3, उपखण्ड 2 दिनांक 13 मई 1972 में प्रकाशित तत्कालीन औद्योगिक विकास मंत्रालय (भारतीय मानक संस्था) अधिसूचना संख्या एस ओ 1118 दिनांक 6 अप्रैल 1972 को अधिसूचना करने हुए भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि टीजन इंजनों पर मुहर लगाने की प्रति इकाई फीसा में परिवर्तन किया गया है। मुहर लगाने की परिवर्तित फीसे जिनके व्यौरे नीचे अनुसूची में दिए गए हैं, 1 जुलाई 1974 से लागू हो जाएंगी:—

अनुसूची

क्रम उत्पाद/स० उत्पाद की श्रेणी	तत्सम्बन्धी भारतीय मानक की शीर्षक	इकाई प्रति इकाई मुहरांकन फीस
1. डीजल इंजिन	IS: 1601-1960 एक सामान्य कार्य के इंजिन लिये मसगति अंतः दाही इंजिन की कार्य-प्रदता की विशिष्टि	(1) पहली 1000 इकाइयों के लिये रु० 5.00 प्रति इकाई; (2) 1001 से 6000 तक इकाइयों के लिए रु० 3.00 प्रति इकाई; (3) 6001 से 11000 तक इकाइयों के लिए रु० 1.50 प्रति इकाई, और (4) 11001 और इससे ऊपर इकाइयों के लिये 50 पैसे प्रति इकाई।

[स० पी एम डी/13:10]

MINISTRY OF INDUSTRY & CIVIL SUPPLIES

(Indian Standards Institution)

New Delhi the 13th December, 1974

S. O. 3410.—In supersession of the then Ministry of Industrial Development (Indian Standards Institution) notification No. S.O. 1118 dated 6 April 1972, published in the Gazette of India, Part II—Section 3 Sub-section (ii) dated 13 May 1972, the Indian Standards Institution, hereby, notifies that the marking fee per unit for diesel engines has been revised. The revised rate of marking fee, details of which are given in the following schedule, shall come into force with effect from 1st July, 1974.

THE SCHEDULE

Sl. Product/Class No. of Product	No. & Title of Relevant Indian Standard	Unit	Marking Fee per unit
1	2	3	4
1. Diesel engines	IS : 1601-1960 Specification for performance of constant speed internal combustion engine for general purposes.	One engine	(i) Rs. 5.00 per unit for the first 1,000 units. (ii) Rs. 3.00 per unit for the 1,001st unit to 6,000 units; (iii) Rs. 1.50 per unit for the 6,001st to 11,000 units and (iv) 50 Paise per unit for the 11,001st unit & above

[No. CMD/13:10-13]

क्रा० प्रा० 3411.—समय समय पर संशोधित भारतीय मानक संस्था (प्रमाणन निगम) विनियम 1955 के विनियम 5 के उपविनियम (1) के अनुसार तथा IS : 1885 (भाग 35)—1973 विद्युत तकनीकी शब्दावली; घर्षनकारी मशीनें और IS : 1885 (भाग 38)—1973 विद्युत तकनीकी शब्दावली; ट्रांसफार्मर, के प्रकाशन के फलस्वरूप अधिसूचित किया जाता है कि IS : 1885 (भाग 2)—1961 विद्युत शब्दावली; मशीन तथा ट्रांसफार्मर जिसके ब्योरे भारत के राजपत्र भाग II खण्ड 3, उपखण्ड (ii) दिनांक 29 सितम्बर, 1962 में अधिसूचना संख्या एम ओ 2976 दिनांक 19 सितम्बर, 1962 के अंतर्गत छपे थे, रद्द कर दिया गया है। IS : 1885 (भाग 2)—1961 में दी गई अपेक्षाओं को IS : 1885 (भाग 35 और 38)—1973 में शामिल कर लिया गया है।

[सं० सी एम डी/13:7]

S. O. 3411.—In pursuance of sub-regulation (1) of Regulation 5 of the Indian Standards Institution (Certification Marks) Regulations 1955, as amended from time to time, and consequent upon publication of IS:1885 (Part XXXV)—1973 Electrotechnical Vocabulary: Rotating machines and IS : 1885 (Part XXXVIII)—1973 Electrotechnical Vocabulary: Transformers, it is, hereby, notified that IS : 1885 (Part II)—1961 Electrotechnical vocabulary: Machines and transformers, details of which were published under notification number S.O. 2976 dated 19 September 1962, in the Gazette of India, Part II, Section 3, Sub-section (ii) dated 29 September 1962, has been cancelled. The requirements of IS : 1885 (Part II)-1961 have been covered in IS : 1885 (Part XXXV and XXXVIII)—1973.

[No. CMD/13:7]

क्रा० प्रा० 3412.—समय समय पर संशोधित भारतीय मानक संस्था (प्रमाणन निगम) विनियम 1955 के विनियम 5 के उपविनियम (1) के अनुसार तथा IS : 1989-1973 खनिको तथा भारी धातु उद्योगों के लिये सुरक्षा दूटों तथा जूतों की विनिर्दिष्ट के प्रकाशन के फलस्वरूप अधिसूचित किया जाता है कि IS : 3737-1966 भारी धातु उद्योगों के श्रमिकों के लिये चमड़े के सुरक्षा बूटों की विनिर्दिष्ट जिसके ब्योरे भारत के राजपत्रित भाग II खण्ड 3, उपखण्ड 2 दिनांक 18 मार्च 1967 में अधिसूचना संख्या एम ओ 913 दिनांक 7 मार्च 1967 के

अंतर्गत छपे थे, निरस्त कर दिया गया है और इसकी 1 जनवरी 1975 से रद्द माना जाए। IS : 3737-1966 में दी गई दूटों में सम्बन्धित अपेक्षाएँ अब IS : 1989-1973 में शामिल कर ली गई हैं।

[सं० सी एम डी/13:7]

ए० के० गुप्ता, उपमहानिदेशक

S. O. 3412.—In pursuance of sub-regulation (1) of Regulation 5 of the Indian Standards Institution (Certification Marks) Regulations 1955, as amended from time to time, and consequent upon publication of IS : 1989-1973 Specification for safety boots and shoes for mines and heavy metal industries, it is, hereby, notified that IS : 3737-1966 Specification for leather safety boots for workers for heavy metal industries, details of which were published under notification number S.O. 913 dated 7 March, in the Gazette of India, Part II, Section 3, Sub-section (ii) dated 18 March 1967, has been withdrawn and stands cancelled with effect from 1 January 1975. The requirements for boots prescribed in IS : 3737-1966 have been covered in IS: 1989-1973.

[No. CMD/13:7]

A. K. Gupta, Deputy Director General

(भारी उद्योग विभाग)

आदेश

नई दिल्ली, 11 दिसम्बर, 1974

क्रा० प्रा० 4313.—आई० डी० आर० ए०/6/16—उद्योग (विकास तथा विनियमन) अधिनियम, 1951 (1951 का 65) की धारा 6 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये एवं विकास परिषद (कार्यविधि) नियम, 1952 के नियम 5(1) के साथ पढ़ने हुये, केन्द्रीय सरकार एतद्वारा उद्योग और नागरिक पूर्ति मंत्रालय के भारी उद्योग विभाग में उप-सचिव श्री त्रिलोचन सिंह को 19 जून, 1974 तक के लिये भारत सरकार के भारी उद्योग मंत्रालय के आदेश सं० दिनांक 20 जून, 1974 के आदेश द्वारा गठित मशीनी औजारों के निर्माण अथवा उत्पादनरत अनुसूचित उद्योगों की विकास परिषद का सदस्य नियुक्त करती है और यह निदेश देती है कि उक्त आदेश में निम्नलिखित प्रतिस्थापन किया जायेगा, अर्थात्:—

उक्त आदेश में, श्री पी० आर० दासगुप्ता से संबंधित प्रविष्टि सं० 25 के स्थान पर निम्नलिखित प्रविष्टि वितर्क की जायेगी, अर्थात्:—

"25 श्री त्रिलोचन सिंह,

उप-सचिव, भारत सरकार, भारी उद्योग, विभाग,
उद्योग और नागरिक पूर्ति मंत्रालय, नई दिल्ली।

[एफ० सं० 4-47[73-एम० टी०]

एम० एम० घोष, संयुक्त सचिव

(Department of Heavy Industry)

ORDER

New Delhi, the 11th December, 1974

S.O. 3413.—IDRA/6/16. In exercise of the powers conferred by Section 6 of the Industries (D&R) Act, 1951 (65 of 1951), read with rule 5(1) of the Development Council (Procedural) Rules, 1952 5(1) of the Development Councils

(Procedural) Rules, 1952, the Central Government hereby appoints, till 19th June, 1976 Shri Tirlochan Singh, Deputy Secretary in the Department of Heavy Industry, Ministry of Industry and Civil Supplies, to be member of the Development Council constituted by the Order of the Government of India in the Ministry of Heavy Industry Order No. dated the 20th June, 1974, for the Scheduled Industries engaged in the manufacture or production of Machine Tools and directs that the following substitution shall be made in the said Order, namely :—

In the said Order, for entry No. 25 relating to Shri P. R. Dasgupta, the following entry shall be inserted, namely :—

"25. Shri Tirlochan Singh, Deputy Secretary to the Government of India, Department of Heavy Industry, Ministry of Industry & Civil Supplies, New Delhi"

[F. No. 4-47/73-MT]
S M GHOSH, Jt Secy

(भारतिय प्रीति विभाग)

नई दिल्ली, 12 दिसम्बर, 1974

क्र० आ० 3414—केन्द्रीय सरकार, अधिसूचित विनियमन अधिनियम, 1952 (1952 का 74) की धारा 5 के अधीन सुधियाना ग्रेन एक्सचेंज लिमिटेड, सुधियाना द्वारा मान्यता के नवीकरण के लिये किये गए आवेदन पर बायदा बाजार आयोग के परामर्श से विचार करके और यह समाधान हो जाने पर कि ऐसा करना व्यापार के हित में और लोकहित में भी होगा, एतद् द्वारा उक्त अधिनियम की धारा 6 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त एक्सचेंज को विनोद की अधिसूचित शक्तियों के तहत, 12 दिसम्बर, 1974 से लेकर 11 दिसम्बर, 1975 (जिसमें ये दोनो दिन भी सम्मिलित हैं) की एक वर्ष की अनिश्चित कालावधि के लिये मान्यता प्रदान करती है।

2 एतद्वारा प्रदत्त मान्यता इस शर्त के अधीन है कि उक्त एक्सचेंज ऐसे निदेशों का अनुपालन करेगा जो बायदा बाजार आयोग द्वारा समय-समय पर दिए जाएंगे।

[सं. 12(22)-आई०टी०/74]
के० रामानुजम, सयुक्त सचिव

(Department of Civil Supplies & Cooperation)

New Delhi, the 12th December, 1974

S.O. 3414.—The Central Government having considered in consultation with the Forward Markets Commission the application for renewal of recognition made under Section 5 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) by the Ludhiana Grain Exchange Ltd., Ludhiana and being satisfied that it would be in the interest of the trade and also in the public interest so to do, hereby grants, in exercise of the powers conferred by Section 6 of the said Act, recognition to the said Exchange for a further period of one year from the 12th December, 1974 to the 11th December, 1975 (both days inclusive), in respect of forward contracts in cottonseed

2. The recognition hereby granted is subject to the condition that the said Exchange shall comply with such directions as may, from time to time, be given by the Forward Markets Commission.

[F. No. 12(22)-IT/74.]
K. RAMANUJAM, Jt Secy.

पेट्रोलियम और रसायन मंत्रालय

(पेट्रोलियम विभाग)

नई दिल्ली, 4 दिसम्बर, 1974

क्र० आ० 3415—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में फ्लेयर पाइपट से जी. सी. एम. III तक पेट्रोलियम के परिवहन के लिये पाइपलाइन रेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यह प्रतीत होता है कि ऐसी मामलों को बिछाने के प्रयोजन के लिये एतद्वाक्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आग्रह एतद्द्वारा घोषित किया है।

अतः कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिये आक्षेप सक्षम प्राधिकारी, तब तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या वह चाहता है कि उसकी मुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

फ्लेयर पाइपट से जी. सी. एम.-III तक पाइपलाइन के लिये प्रयोग का अधिकार।

गांव	राज्य—गुजरात	जिला—कैरा	तालुका—मतार	
	सर्वेक्षण संख्या	हेक्टर	एअरर्ह	पीएअरर्ह
पनसोली	197	0	05	50

[सं. 12016/6/74-एल०एण्ड एल]

MINISTRY OF PETROLEUM AND CHEMICALS

(Department of Petroleum)

New Delhi, the 4th December, 1974.

S.O. 3415.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Flare Point to G.G.S. III in Gujarat State Pipelines should be laid by the Oil & Natural Gas Commission;

And Whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipeline (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-9.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

RIGHT OF USER FOR PIPELINE TO FLARE POINT

GGS. III

State : GUJARAT District : KAIRA Taluka : MATAR

Village	Survey No.	Hectare.	Ac.	P. Ac.
Pansoli...	197	0	05	50

नई दिल्ली, 16 दिसम्बर, 1974

क्रा० आ० 3416.—यतः केन्द्रीय सरकार का यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी एस कृष्णा संख्या 187 से कुर्मा संख्या 188 तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यत यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद् द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप-लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड़ बरीदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

कुर्मा संख्या 187 से 188 तक पाइपलाइन बिछाने के लिए।

राज्य : गुजरात	जिला : बड़ोद	तालुका : अंकलेश्वर			
गाँव	सर्वेक्षण संख्या	हेक्टर	एकराई	सेंटीयर	
सरथान	122	0	09	75	
तेलवा	9	0	27	69	

[संख्या 12016/16/74-एन एंड एल]

New Delhi, the 16th December, 1974

S.O. 3416.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from d.s. well No. 187 to Well No. 188 in Gujarat State Pipelines should be laid by the Oil & Natural Gas Commission;

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And whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-9.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Pipeline from well No. 187 to 188

State : Gujarat District : Broach Taluka : Ankleshwar

Village	Survey No.	Hectate	Are	Centiare
1	2	3	4	5
Sarthan	122	0	09	75
Tolava	9	0	27	69

[No. 12016/16/74-L&L]

क्रा० आ० 3417.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी एस एन के-66 से जी जी एस से आर ओ यू के साथ मिलाते हुए जी एस एन के-59 से जी जी एस तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद् द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग मकरपुरा रोड़ बरीदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

डी एस एन के-66 से जी जी एम से आर ओ यू के साथ मिलाने हुए जी एम एन के-59 से जी जी एम लाइन तक पाइपलाइन बिछाने के लिए।

राज्य : गुजरात जिला : महसना तालुका : महसना/वीरमगम

गाँव	सर्वेक्षण संख्या	हेक्टर	ए. आर. ई. पी.	ए. आर. ई.
महम्मदपुरा	9	0	15	29
बालमासन	105/5	0	02	40
	106/1	0	04	68
	106/2	0	03	48
कार्ट ट्रैक		0	00	81
	162/1	0	15	64

[संख्या 12016/17/74-एल एण्ड एल-1]

S.O. 3417.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from DS NK-59 to GGS line connecting with ROU from DS NK-66 to GGS in Gujarat State Pipelines should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

New, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-9.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

For laying Pipeline from D.S. NK-59 GGS line connecting with ROU from DS NK-66 to GGS.

State : Gujarat District : Mehsana Taluka : Mehsana/Viramgam

Village	Survey No.	Hectare Are	P. Arc.
Mehmedpura	9	0 15	29
Balsasan	105/3	0 02	40
	106/1	0 04	68
	106/2	0 03	48
Cart Track		0 00	84
	162/1	0 15	64

[No. 12016/17/74-L & L-I]

क्र० आ० 3418—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य से जी जी एम/सी० टी० एफ० से कुम्रा संख्या एन के-36 तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एनएलजीए अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब, पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एनए द्वारा घोषित किया है :

वर्तते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप-लाइन बिछाने के लिए आशेष समक्ष प्राधिकारी तेल, तथा प्राकृतिक गैस आयोग, निर्माण और वेखभाल प्रभाग, मकरपुरा रोड, बरोडा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आशेष करने वाला हर व्यक्ति विनिश्चित यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जी जी एम/सी० टी० एफ० से कुम्रा संख्या एन के-36 तक पाइपलाइन बिछाने के लिए।

राज्य : गुजरात जिला : महसना/अहमदाबाद तालुका : कादी/वीरमगम

गाँव	सर्वेक्षण संख्या	हेक्टर	ए. आर. ई. पी.	आर. ई.
बालसासन	93	0	46	68
	91/1	0	12	48
	91/2	0	13	20
	84/2	0	14	40
	84/1	0	15	28
बालमासन	250/1	0	17	76
	249	0	26	16
	248/8	0	03	60
	248/7	0	03	60

[संख्या 12016/17/74/74-एल एण्ड एल-2]

S.O. 3418.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from GGS/CTF to Well No. NK-36 in Gujarat State Pipelines should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-9.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

For laying pipeline from CGS-Cum-CTF to Well No. NK-36
State : Gujarat District : Mehsana/Ahmedabad Taluka :
Viramgam

Village	Survey No.	Hectare	Are.	P. Are.
1	2	3	4	5
Chalasan	93	0	46	68
	91/1	0	12	46
	91/2	0	13	20
	84/2	0	14	40
	84/1	0	05	28
Balsasan	250/1	0	17	76
	249	0	26	16
	248/8	0	03	60
	248/7	0	03	60

[No. 12016/17/74-L&L-II]

का० प्रा० 3419 —यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में सी 36 से सी टी एफ से एन के-53 तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः प्रयत्न प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पावस्त्र अनुसूची में वर्णित भूमि में उपयोग कर अधिकार अर्जित करना आवश्यक है।

अतः अथ पेट्रोलियम पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बताने कि उक्त भूमि में हितवन्त कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड बरीदा-9 को इस अधिसूचना के तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति त्रिनिटिड यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई अर्थात्कण. हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

कुआं सयथा 36 से सी टी एफ से एन के 53 तक पाइप लाइन बिछाने के लिए
राज्य : गुजरात जिला : अहमदाबाद तालुका : विरमगाम

गांव	सर्वेक्षण संख्या	हैक्टर	ए०आर०	पी०ए०
			ई०	आर०ई०
बलमामन	250	0	03	12
	246/4	0	04	80
	246/1	0	04	44
	244	0	06	60

[संख्या 12016/12/74-एल एण्ड एल]

S.O. 3419.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from D.S. 36 to CTF to NK 53 in Gujarat State Pipelines should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

New, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-9.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

For laying Pipeline from Well No. 36 to CTF to NK-53
State : Gujarat District : Ahmedabad Taluka : Viramgam

Village	Survey No.	Hectare	Are.	P. Are.
1	2	3	4	5
Balsasan	250	0	03	12
	246/4	0	04	80
	246/1	0	04	44
	244	0	06	60

[No. 12016/12/74-L&L]

नई दिल्ली, 17 दिसम्बर, 1974

का० प्रा० 3420.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी जी एम सोमामन से सी टी एफ क्लोन तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पावस्त्र अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अथ पेट्रोलियम पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बताने कि उक्त भूमि में हितवन्त कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड बरीदा-9 को इस अधिसूचना के तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चित यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिशः हो या किसी विधि व्यवसायी की मार्फत।

प्रस्ताव

जी० जी० एस० सोमामन से जी टी एफ, कलोल तक प्रतिरिक्त भूमि के लिए पाइपलाइन

राज्य—गुजरात

तालुका—कावी/कलोल/मेहसाना/जिला मेहसाना

गांव	सर्वेक्षण संख्या	क्षेत्र		
सैज	1396/पी	0	06	15
पीज	296/पी	0	04	20
अमेसन	449/पी	0	11	55
अदुनवरा	863/पी (रोड)	0	03	00
	861/पी (रोड)	0	00	48
	862	0	14	40
	580	0	03	75

[संख्या 12016/14/74-एल एण्ड एस/1]

New Delhi, the 17th December, 1974

S.O. 3420.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from GGS Sobhasan to CTF Kalol in Gujarat State Pipelines should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-9.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

PROPOSAL

Additional land for pipeline from G.G.S.
Sobhasan to C.T.F. Kalol.

State : Gujarat Taluka/Kadi /Kalol/Mehsana
Dist : Mehsana.

Village	Survey No.	Area		
Saij	1396/P	0	06	15
Piej	296/P	0	04	20
Ambasan	449/P	0	11	55
Adundra	863/P (Road)	0	03	00
	861/P (Road)	0	00	48
	862	0	14	40
	580	0	03	75

[No. 12016/14/74-L&L/1]

का० खा० 3421.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोक-हित में यह आवश्यक है कि गुजरात राज्य में एन के 68 से जी जी एस तक पेट्रोलियम के परिवहन के लिए पाइप-लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्भाव अनुसूची में वर्जित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

वर्गों कि उक्त भूमि में हितवन् कोई व्यक्ति, उस भूमि के नीचे पाइप-लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बरोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चित यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिशः हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जी एस एन के 68 से जी जी एस तक पाइपलाइन बिछाने के लिए।
राज्य—गुजरात जिला—अहमदाबाद तालुका—विक्रमगम

गांव	सर्वेक्षण संख्या	क्षेत्र		
बलसासन	179/1	0	04	08
	179/2	0	08	64
	169/6	0	05	88

[संख्या 12016/14/74-एल एण्ड एस/II]

S.O. 3421.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from d.s. NK-68 to G.G.S. in Gujarat State Pipelines should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the scheduled annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-9.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

For laying Pipeline from D.S. MK—68 To GGS—Line
Connection from NK—66 To GGS.

State : Gujarat District : Ahmedabad Taluka : Viramgam

Village	Survey No.	Hectare	Area	P. Are
Balsasan	179/1	0	04	08
	179/2	0	08	84
	169/6	0	05	88

[No. 12016/14/74-L&L/I]

क्र० अ० 3422.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एन के-51 से एन के-60 तक पेट्रोलियम के परिवहन के लिए पाइप लाइन लेन तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एनदपावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार ने उक्त उपयोग का अधिकार अर्जित करने का अर्जन आशय एनद द्वारा घोषित किया है।

यद्यपि कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सहित अधिकारी, लेन तथा प्राकृतिक गैस आयोग, निर्माण और वेखमान प्रभाग, मकरपुरा रोड बरोदा-9 को इस अधिनियम की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चित यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

डी एस एन के-51 से डी एस एन के-60 तक, मुख्य लाइन को भिंसाते हुए, 66 से जी जी एस-व-सी टी एफ तक पाइप लाइन बिछाने के लिए।

राज्य : गुजरात जिला : अहमदाबाद तालुका : बीरमेगम

गांव	सर्वेक्षण संख्या	है	ए आर ई	पी ए आर ई
बलसासन	147/3	0	06	84
	142/2	0	01	86
	142/1	0	02	00
	143/1	0	08	88
	143/3	0	10	80
	142/5	0	08	88
	काट ट्रैक	0	00	72
	186/2	0	03	36
	185/1	0	06	60

1	2	3	4	5
	85/5	0	08	72
	184/5	0	04	20
	184/4	0	06	72
	183/3	0	06	00
	काट ट्रैक	0	00	60
	208/1	0	10	80
	208/2	0	03	60
	210/बी	0	08	20

[संख्या 12016/14/74-एन एण्ड जी एल/III]

S.O. 3422.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from d.s. NK-51 to NK-60 in Gujarat State Pipelines should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the scheduled annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-9.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

For laying Pipeline from D.S. NK—51 to D.S. NK—60
Connecting with main line from 66 to GGS-cum-C.T.F.

State : Gujarat District : Ahmedabad Taluka : Viramgam

Village	Survey No.	Hectare	Area	P. Are
Balsasan	147/3	0	06	84
	142/2	0	01	86
	142/1	0	02	00
	143/1	0	08	88
	143/3	0	10	80
	142/5	0	08	88
	Cart Track	0	00	72
	186/2	0	03	36
	185/1	0	06	60
	185/5	0	06	72
	184/5	0	04	20
	184/4	0	06	72
	183/3	0	06	00
	Cart Track	0	00	60
	208/1	0	10	80
	208/2	0	03	60
	210/8	0	07	20

[No 12016/14/74-L&L/II]

क्रा०क्रा० 3423.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एन के-66 से जी जी/एस/सी टी एफ कादी तक पैट्रोलियम के परिवहन के लिए पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पाइप लाइन अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब पैट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्णित कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए, आक्षेप मक्षम, प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड बरोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

कुशा मध्या 66 से सी०टी० ए० ४० व जा० जी० ए० १० (नार्थ कादी) तक पाइपलाइन बिछाने के लिए।

राज्य : गुजरात	तालुका : महसना	जिला : महसना		
गाँव	सर्वेक्षण संख्या	हेक्टर	ए.आर.ई.	पी.आर.ई.
1	2	3	4	5
महम्मदपुरा	32	0	10	20
	कार्ट ट्रैक	0	01	20
	01	0	23	40
	03	0	06	12
	10	0	17	40
	09	0	16	92
	08	0	33	48

बलसासन	तालुका : बीरमगम	जिला : अहमदाबाद		
	166/2	0	05	76
	167/2	0	09	24
	180/2	0	07	20
	179/1	0	08	28
	176/8	0	05	50
	176/9	0	02	00
	176/10	0	10	00
	211	0	07	32
	212	0	03	84
	177	0	22	08

1	2	3	4	5
बलसासन	तालुका : कादी	जिला : महसना		
	127	0	09	48
	126	0	10	44
	125	0	04	20
	136/2	0	11	04
	136/1	0	06	60
	123	0	03	60
	कार्ट ट्रैक	0	00	72
	119/2 (ए)	0	06	96
	119/2 (बी)	0	12	00
	कार्ट ट्रैक	0	00	96
	111/1	0	11	76
	86/1	0	05	40
	88	0	19	20
	कार्ट ट्रैक	0	00	60
	92	0	03	64
	91/1(बी)	0	05	64
	92	0	10	44
	93	0	05	76

[संख्या 12016/14/74-एल एण्ड एल/4]

S.O. 3423.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from d.s. NK-66 to GGS/CTF Kadi in Gujarat State pipelines should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-9.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

For Laying Pipeline from Well No. 66 To CTF Cum GGS (North Kadi).

Village	Survey No.	Hectare Area	P. Are	
1	2	3	4	5
State : Gujarat	Taluka : Mehsana	District: Mehsana		
Mermamipura	32	0	10	20
	Cart Track	0	01	20
	01	0	23	40
	03	0	06	12
	10	0	17	40
	09	0	16	92
	08	0	33	48

1	2	3	4	5
	Taluka : Viramgam District : Ahmedabad			
Balsasan	166/2	0	05	76
	167/2	0	09	24
	180/2	0	07	20
	179/1	0	08	28
	176/8	0	05	50
	176/9	0	02	00
	176/10	0	10	00
	211	0	07	32
	212	0	03	84
	177	0	22	08
Ghalasan	Taluka : Kadi District : Mehsana			
	127	0	09	48
	126	0	10	44
	125	0	04	20
	136/2	0	11	04
	136/1	0	06	60
	123	0	03	60
	Cart Track	0	00	72
	119/2(A)	0	06	96
	119/2(B)	0	12	00
	Cart Track	0	00	96
	111/1	0	11	76
	86/1	0	05	40
	88	0	19	20
	Cart Track	0	00	60
	92	0	05	04
	91/1(B)	0	05	64
	92	0	10	44
	93	0	05	76

[No. 12016/14/74-L&L/I]

का०आ० 3424 —यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जंकशन पाइंट से जी जी एम/सी टी एफ नार्थ कादी तथा जंकशन पाइंट से कादी-1 तक पेट्रोलियम के परिवहन के लिए पाइप लाईन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पावद्ध अनुसूची में वर्णित भूमि के उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब पेट्रोलियम पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उनमें उपयोग का अधिकार अर्जित करने का अपना आग्रह एतद्वारा घोषित किया है।

बशर्ते कि उस भूमि से हितवन्त कोई व्यक्ति, उस भूमि के मीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड बरोदा-9 का इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट, यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जंकशन पाइंट से जी जी एम/सी टी एफ नार्थ कादी और जंकशन पाइंट से कादी-1

तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात	तालुका : कादी	जिला : मेहसाणा
गांव	सर्वेक्षण संख्या	हेक्टर ए और ई पी आर ई
चलामन	72	0 09 45
	71	0 06 30
	बैलगाड़ी का रास्ता	0 02 10
	65	0 02 70
	69	0 13 65
	68	0 16 20
	67	0 04 50
	बैलगाड़ी का रास्ता	0 01 35
	95	0 08 25
	75/1	0 05 25
	75/2	0 13 05
	बैलगाड़ी का रास्ता	0 01 05

[संख्या 12016/9/74-एल० एंड एन०/I]

S.O. 3424.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Jn. Point to GGS/CTF North Kadi & Jn. Point to Kadi-1 in Gujarat State Pipelines should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

New, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-9.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

For laying Pipeline from junction point to GGS/G T.F North Kadi & junction point to Kadi-1.

State : Gujarat Taluka : Kadi District : Mehsana

Village	Survey No.	Hectare	Are	P. Are.
1	2	3	4	5
Chalasan	72	0	09	45
	71	0	06	30
	Cart-track	0	02	10
	65	0	02	70
	69	0	13	65
	68	0	16	20
	67	0	04	50
	Cart-track	0	01	35
	95	0	08	25
	75/1	0	05	25
	75/2	0	13	05
	Cart-track	0	01	0

[No. 12016/9/74-L&L/1]

का० प्रा० 3425.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में के-66 से जी जी एस-11 तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पावद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बरौदा-9 को हम अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत या किसी विधि व्यवसायी की मार्फत।

अनुसूची

डी एस सख्या के-66 से जी जी एस-11 तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात जिला : मेहसाणा तालुका : कलोल

गांव	सर्वेक्षण सख्या	हेक्टर	ए. आर.	पी. ए. आर.
सेज	403/5	0	05	85
	बैलगाड़ी का रास्ता	0	01	12
	514	0	04	35
	516	0	01	00
	513/1	0	01	00
	515	0	11	40
	517/3	0	04	50
	517/5	0	11	40
	517/8	0	03	45
	बैलगाड़ी का रास्ता	0	00	60
	536	0	04	80
	535	0	06	67
	बैलगाड़ी का रास्ता	0	00	75
	664	0	08	18
	665/1/ए	0	04	50
	665/1/बी	0	04	05
	665/2/बी	0	04	80
	659/1/ए	0	02	85
	659/1/बी	0	03	53
	659/3	0	03	60
	659/2	0	00	50
	658	0	06	75
	712	0	15	90

[सख्या 12016/9/74-एल एण्ड एन/II]

S.O. 3425.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from d.s. K-66 to GGS-II in Gujarat State Pipelines should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

New, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-9.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

For laying Pipeline from D.S. No. K-66 to GGS. II

State : Gujarat District : Mehsana Taluka : Kalol

Village	Survey No.	Hectare	Are.	P. Are.
Saij	403/5	0	05	85
	Cart Track	0	01	12
	514	0	04	35
	516	0	01	00
	513/1	0	01	00
	515	0	11	40
	517/3	0	04	50
	517/5	0	11	40
	517/8	0	03	45
	Cart Track	0	00	60
	536	0	04	80
	535	0	06	67
	Cart Track	0	00	75
	664	0	08	18
	665/1/A	0	04	50
	665/1/B	0	04	05
	665/2/B	0	04	80
	659/1/A	0	02	85
	659/1/B	0	03	53
	659/3	0	03	60
	659/2	0	00	50
	658	0	06	75
	712	0	15	90

[No. 12016/9/74-L&L/III]

का० प्रा० 3426—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में के-164 से सी टी एक तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल तथा प्राकृतिक गैस प्रायोग द्वारा बिछाई जायी जाए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पाव्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार प्रजित करना आवश्यक है।

अतः, अब पेट्रोलियम पाइप लाइन (भूमि में उपयोग के अधिकार क अधिनियम, 1962 (1963 का 50) की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अजित करने का अपना आशय एतद्द्वारा घोषित किया है।

बतर्न कि उक्त भूमि में हितवन् कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आशेष सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस प्रायोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बडौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आशेष करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी त्रिभि व्यबसायी की मार्फत।

116 GI/74-6.

अनुसूची }

के-164 से सी टी एक तक पाइपलाइन बिछाने के लिए

राज्य : गुजरात	तालुका : कलोल	जिला : मेहसाना
गाँव	ब्लॉक संख्या	हेक्टर ए और पी ए
		ई धार ई
धमसाना	826	0 09 23
	827	0 11 25
	829	0 15 38

[संख्या 12016/9/74-एल एण्ड एल-III]

S.O. 3426.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from K-164 to CTF in Gujarat State Pipelines should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

New, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-9.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

For laying pipeline from K-164 to CTF

State : Gujarat Taluka : Kalol District : Mehsana

Village	Block No.	Hectare	Are	P. Are.
Dhamasana	826	0	09	23
	827	0	11	25
	829	0	15	38

[12016/9/74-L&L/III]

का० प्रा० 3427.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में के-171 से जी० जी० एस० VII तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल तथा प्राकृतिक गैस प्रायोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पाव्य अनुसूची में वर्णित भूमि में उपयोग का अधिकार प्रजित करना आवश्यक है।

अतः, अब पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्णन कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बरोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

डी एस नम्बरा के-171 से जी जी एस-VII तक पाइपलाइन बिछाने के लिए

राज्य : गुजरात जिला : गांधीनगर तालुका : गांधीनगर

गांव	सर्वेक्षण संख्या	हेक्टेर	ए आर ई	पी ए आर ई
उवार्सद	894/2	0	28	42
	बैलगाड़ी का रास्ता	0	00	30
	1093	0	01	00
	1094	0	22	65
	1097/8	0	07	95
	1097/7	0	05	25
	1097/6	0	07	05
	1098/1	0	22	45
	1098/3	0	04	20
	1100	0	07	94
	1103	0	08	10
	1104	0	12	90
	1107	0	09	52

[संख्या 12016/9/74-एल एण्ड एल/1]

S.O. 3427. —Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from d.s. K-171 to GGS VII in Gujarat State Pipelines should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

New, therefore, in exercise of the powers conferred by sub-section (1) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-9.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal Practitioner.

SCHEDULE

For laying Pipeline from D.S.No. K-171 to GGS-VII

State : Gujarat District : Gandhinagar Taluka : Gandhinagar

Village	Survey No.	Hectare	Are.	P. Are.
Uwarsad	894/2	0	28	42
	Cart track	0	00	90
	1093	0	01	00
	1094	0	22	65
	1097/8	0	07	95
	1097/7	0	05	25
	1097/6	0	07	05
	1098/1	0	22	45
	1098/3	0	04	20
	1100	0	07	94
	1103	0	08	10
	1104	0	12	90
	1107	0	09	52

[No. 12016/9/74-L&L/IV]

का० आ० 3428. —यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में के-163 से सी टी एक किलोम तक पेट्रोलियम के परिवहन के लिए पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः, अब पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

वर्णन कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड बरोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

के-163 से सी टी एफ कलोल तक पाइपलाइन बिछाने के लिए

राज्य : गुजरात	जिला : गांधीनगर/महसना	तालुका : कलोल
गांव	सर्वेक्षण संख्या	हेक्टर ए आर ई पी ए आर ई
	1000	0 04 75
	1001/2	0 05 70
	1002/2	0 06 37
	1003	0 07 80
	1004/2	0 01 00
	बैलगाड़ी का रास्ता	0 00 75
	1005	0 10 43
	137/1	0 05 25
	135	0 24 25
	133	0 01 00
	134	0 11 25
	128	0 09 00
	129	0 01 35
	127	0 08 05
	103	0 33 58
	102	0 08 05
	101	0 19 20
	बैलगाड़ी का रास्ता	0 01 09
	108	0 01 65
	बैलगाड़ी का रास्ता	0 01 00
	72	0 06 00
	71	0 16 65
	47	0 11 34
	46	0 05 70
	50	0 13 50
	53	0 00 75
	51	0 03 00
	52	0 06 30
	57	0 06 30

[संख्या 12016/9/74-एल एण्ड एल/5]

पी० पी० गुप्ता, उप-सचिव

S.O. 3428.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from K. 163 to CTF Kalol in Gujarat State Pipelines should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-9.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

For laying Pipeline from K-163 to CTF, Kalol

State : Gujarat Dist : Gandhinagar/Mehsana Taluka : Gandhinagar/Kalol

Village	Survey No..	Hectare	Ac.	P. Are
Sertha	1000	0	04	75
	1001/2	0	05	70
	1002/2	0	06	37
	1003	0	07	80
	1004/2	0	01	00
	Cart Track	0	00	75
	1005	0	10	43
Dhanaj	137/1	0	05	25
	135	0	24	25
	133	0	01	00
	134	0	11	25
	128	0	09	00
	129	0	01	35
	127	0	08	05
	103	0	33	58
	102	0	08	05
	101	0	19	20
	Cart Track	0	01	00
	108	0	01	65
	Cart Track	0	01	00
	72	0	06	00
	71	0	16	65
	47	0	11	34
	46	0	05	70
	50	0	13	50
	53	0	00	75
	51	0	03	00
	52	0	06	30
	57	0	06	30

[No. 12016/9/74-L&L/V]
P. P. GUPTA, Dy. Secy.

स्वास्थ्य और परिवार नियोजन मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 10 दिसम्बर, 1974

का० भा० 3329.—संविधान के अनुच्छेद 309 और अनुच्छेद 148 के अन्तर्गत (5) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारतीय लेखा परीक्षा और लेखा विभाग में काम करने वाले व्यक्तियों के बारे में नियंत्रक और महालेखा परीक्षक, भारत से परामर्श करने के पश्चात् राष्ट्रपति एतद् द्वारा केन्द्रीय सेवा (चिकित्सा परिवर्त्ता) नियम, 1944 से और आगे संशोधन करने के लिये निम्नलिखित नियम बनाते हैं; तात्पर्य—

1. संक्षिप्त शीर्षक और प्रारम्भ—

(1) इन नियमों को केन्द्रीय सेवा (चिकित्सा परिवर्त्ता) संशोधन नियम 1974 कहा जाए।

(2) ये नियम सरकारी राजपत्र में प्रकाशित हो जाने की तिथि से लागू होंगे।

2. केन्द्रीय सेवा (चिकित्सा परिचर्या) नियम, 1944 के नियम 2 के खण्ड (क) के उप-खण्ड (क) में,—

(क) मव (iii) में “वह अधिकारी” शब्दों के स्थान पर “वह अधिकारी, अध्यक्ष” शब्द रखे जाएं ;

(ख) मव (iii) के बाद निम्नलिखित मव रखी जाए—

“(iv) जहाँ ऐसी समितियाँ केन्द्रीय [सरकारी कर्मचारियों के सम्बन्ध में कार्य कर रही हैं उन स्थानों पर केन्द्रीय सरकारी कर्मचारी कल्याण समन्वय समिति के अध्यक्ष।”

[सं० एम० 14012/5/74-एम०सी०]

एन० एन० भाटिया, प्रवर सचिव

MINISTRY OF HEALTH AND FAMILY PLANNING

(Department of Health)

New Delhi, the 10th December, 1974

S.O. 3429.—In exercise of the powers conferred by the proviso to article 309, and clause (5) of article 148, of the Constitution and after consultation with the Comptroller and Auditor-General of India in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following rules further to amend the Central Services (Medical Attendance) Rules 1944, namely :

1. Short title and commencement.—(1) These rules may be called the Central Services (Medical Attendance) Amendment Rules, 1974.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In rule 2 of the Central Services (Medical Attendance) Rules, 1944, in sub-clause (A) of clause (a)—in item (III), for the words “that authority”, the words “that authority, or” shall be substituted ;

(b) after item (iii) the following item shall be inserted, namely :—

“(iv) the Chairman of the Central Government Employee's Welfare Co-ordination Committee at station where such Committee are functioning, in relation to the Central Government employees at that station.”

[No. S. 14012/5/74-MC]

N. S. BHATIA, Under Secy

नई दिल्ली, 19 दिसम्बर, 1974

क्र० प्र० 3430.—यत् भारतीय चिकित्सा परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उपधारा (1) के खण्ड (ख) के अनुसरण में डा० बी० राजगुरु प्रधानाचार्य बी० एस० एस० मेडिकल कालेज बुर्ला, जिला सम्बलपुर (उड़ीसा) विश्वविद्यालय द्वारा 28 अगस्त, 1974 से भारतीय चिकित्सा परिषद् के एक सदस्य चुने गये हैं ;

प्रतः अथ, उक्त अधिनियम की धारा 3 की उपधारा 1 का पालन करते हुए केन्द्रीय सरकार भारत सरकार के भूतपूर्व स्वास्थ्य मंत्रालय की 9 जनवरी, 1960 की अधिसूचना संख्या 5-13/59-एम 1 में एतद्-द्वारा प्राप्ति और निम्नलिखित संशोधन करती है, नामतः—

उक्त अधिसूचना में “धारा 3 की उपधारा (1) के खण्ड (ख) के अधीन निर्वाचित” शीर्षक के अन्तर्गत क्रम संख्या 40 और उससे संबंधित प्रविष्टियों के बने निम्नलिखित क्रम संख्या और प्रविष्टियाँ रख दी जाएँ, नामतः —

“40, डा० बी० राजगुरु,
प्रधानाचार्य, बी० एस० एस० मेडिकल कालेज, बुर्ला,
जिला सम्बलपुर, उड़ीसा. . . . सम्बलपुर विश्वविद्यालय”

[सं० बी० 11013/1/74-एम०पी०टी०]

सती नायर, प्रवर सचिव

New Delhi, the 19th December, 1974

S.O. 3430.—Whereas in pursuance of clause (b) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), Dr. B. Rajguru, Principal, V.S.S. Medical College, Burla District Sambalpur (Orissa) has been elected by the Sambalpur University to be a member of the Medical Council of India, with effect from the 28th August, 1974;

Now, therefore, in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Ministry of Health No. 5-13/59-MI, dated the 9th January, 1960, namely :—

In the said notification, under the heading “Elected under clause (b) of sub-section (1) of section 3”, for serial No. 40 and the entries relating thereto, the following serial No. and entries shall be substituted, namely :—

“40. Dr. B. Rajguru,
Principal,
V.S.S. Medical College, Burla,
District Sambalpur (Orissa),
Sambalpur University.”

[No. V. 11013/1/74-MPT(C)]
MRS. SATHI NAIR, Under Secy.

(परमाणु ऊर्जा विभाग)

मुम्बई, 18 दिसम्बर, 1974

क्र० प्र० 3431.—सरकारी स्थान (अप्राधिकृत अधिकारियों की देखरेख) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, भारत सरकार के परमाणु ऊर्जा विभाग की अधिसूचना सं० क्र० प्र० 1263 तारीख 10 अप्रैल, 1973 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना की सारणी के स्थान पर निम्नलिखित सारणी रखी जाएगी, अर्थात् :—

सारणी

अधिकारी का पदनाम		सरकारी स्थानों के प्रभाग और अधिकारिता की स्थानीय सीमाएँ	
1	2	3	4
मुख्य प्रशासनिक अधिकारी, तारापुर	पालघर और	वहानु	तासुको,
परमाणु ऊर्जा केन्द्र, डाकघर तारापुर	जिला थाना, महाराष्ट्र राज्य में	तारापुर	वाणु ऊर्जा केन्द्र के या
जिला थाना (महाराष्ट्र)	उसके	अधीनस्थ	अधीनस्थ स्थान।

[फाइल सं० 13/2/73-(५०)

(Department of Atomic Energy)

Bombay, the 18th December, 1974

S.O. 3431.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby makes the following amendment to the notification of the Government of India in the Department of Atomic Energy S.O. No. 1263 dated the 10th April, 1973, namely :—

For the Table to the said notification, the following Table shall be substituted, namely :—

THE TABLE

Designation of the Officer	Categories of public premises and local limits of Jurisdiction
(1)	(2)
Chief Administrative Officer Tarapur Atomic Power Station, P.O. Tarapur, Distt. Thana, (Maharashtra)	Premises belonging to or under the Management of the Tarapur Atomic Power Station in Palghar and Dahanu Talukas, Distt. Thana, Maharashtra State.

[File No. 13/2/73-(H)]

का० प्रा० 3432.—सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेवजाली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारत सरकार के निर्माण और आवास मंत्रालय, सम्पदा निदेशालय की अधिसूचना सं० का० प्रा० 127 तारीख 4 जनवरी 1973 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना की सारणी में, मद 18 और उससे संबंधित प्रविष्टियों का सोप कर दिया जाएगा ।

[फाइल सं० 13/2/73-(एच)]

S.O. 3432.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby makes the following amendment to the notification of the Government of India in the Ministry of Housing, Directorate of Estates, No. S.O. 127 dated the 4th January, 1973, namely :—

In the Table to the said notification, item 18 and the entries relating thereto shall be omitted.

[File No. 13/2/73-(H)]

का० प्रा० 3433.—सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेवजाली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार भारत, सरकार के भूतपूर्व निर्माण, आवास और पूँजी मंत्रालय की अधिसूचना सं० का० प्रा० 1899 तारीख 25 मई, 1967 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना की अनुसूची में, स्तम्भ (2) में की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात् :—

“बृहत्तर मुम्बई में परमाणु ऊर्जा विभाग के या उसके प्रशासनिक नियंत्रण के अधीन सरकारी स्थान ।”

[फाइल सं० 13/2/73-(एच)]

तरलोक सिंह, अवर सचिव

S.O. 3433.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby makes the following amendment to the notification of the Government of India in the late Ministry of Works, Housing and Supply No. S.O. 1899 dated the 25th May, 1967, namely :—

In the Table to the said notification, in column (2), for the entry, the following entry shall be substituted, namely :—

“Premises belonging to or under the Administrative control of the Department of Atomic Energy in Greater Bombay”.

[File No. 13/2/73-(H)]

TARLOK SINGH, Under Secy.

कृषि और सिंचाई मंत्रालय

(कृषि विभाग)

नई दिल्ली, 6 दिसम्बर, 1974

का० प्रा० 3434.—राष्ट्रपति, सविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, दिल्ली जिल्डियाधर (बर्ग 3 और बर्ग 4 पद) भर्ती नियम, 1960 में और संशोधन करने के लिये निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. (1) इन नियमों का नाम दिल्ली जिल्डियाधर (बर्ग 3 और बर्ग 4 पद) भर्ती (द्वितीय, संशोधन) नियम, 1974 है ।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे ।

2. दिल्ली जिल्डियाधर (बर्ग 3-और बर्ग 4 पद) भर्ती नियम, 1960 की अनुसूची में मद 20 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित मद और प्रविष्टियाँ रखी जाएँगी, अर्थात् :—

1	2	3	4
20 टिकट- कलक्टर	बर्ग 3 अराजपक्षित	200-250 रु०	न्यून
5	6	7	8
लागू नहीं होता	लागू नहीं होता	लागू नहीं होता	2 वर्ष
9	10	11	
शतप्रतिशत प्रोन्नति द्वारा	दिल्ली जिल्डियाधर के उन बर्ग 4 कर्मचारियों में से जिन्हें अंग्रेजी का कुछ ज्ञान है और जिन्होंने मिडिल स्कूल स्तर उत्तीर्ण कर लिया है ।	—	

[सं० जे० 12015/1/72-एफ० डी० (इन्स्यू० एल० एफ०)]

रूप राम, अवर सचिव

MINISTRY OF AGRICULTURE

(Department of Agriculture)

New Delhi, the 6th December, 1974

S.O. 3434.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Delhi Zoological Park (Class III and Class IV posts) Recruitment Rules, 1960, namely :—

1 (i) These rules may be called the Delhi Zoological Park (Class III and Class IV posts) Recruitment (Second Amendment) Rules, 1974.

(ii) They shall come into force of the date of their publication in the Official Gazette.

2. In the Schedule to the Delhi Zoological Park (Class III and Class IV posts) Recruitment Rules, 1960, for item 20 and the entries relating thereto, the following item and entries shall be substituted, namely :—

1	2	3	4	5	6	7
20 Ticket Collector	Class IV Non-Gazetted.	Rs. 200-250	Selection	Not applicable	Not applicable	Not applicable.
8	9		10		11	
2 years	By promotion 100%		From Class IV employees of the Delhi Zoological Park who have some knowledge of English and who have passed Middle School standard.			

[No. J. 12015/1/72-FD(WLE)]

RUP RAM, Under Secy.

पर्यटन और नागर विमानन मंत्रालय

नई दिल्ली, 13 दिसम्बर, 1974

नौवहन और परिवहन मंत्रालय

(परिवहन पक्ष)

नई दिल्ली, 13 दिसम्बर, 1974

क्रा० आ० 3435.—अन्तर्राष्ट्रीय विमानपत्तन प्राधिकरण अधिनियम, 1971 (1971 का 43) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एम्बेड द्वारा भारत अन्तर्राष्ट्रीय विमानपत्तन प्राधिकरण में इंजीनियरी के निदेशक, श्री पी० एम० संधवालिया को 13 दिसम्बर, 1974 से तीन वर्ष की अवधि के लिए अथवा प्राधिकरण का पुनर्गठन होने तक, जो भी पहले हो, भारत अन्तर्राष्ट्रीय विमानपत्तन प्राधिकरण का अग्रकायिक सदस्य नियुक्त करती है।

[ए० बी० 24012/3/74-ए०ए०]

सी० एल० धींगरा, उप सचिव

क्रा० आ० 2436.—मोरमुगाओ डॉक कर्मकार (नियोजन का विनियमन) स्कीम, 1965 से और संशोधन करने के लिए स्कीम का निम्नलिखित प्रारूप, जिसे केन्द्रीय सरकार, डॉक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए बनाने की प्रत्यावना करती है उक्त उपधारा की अपेक्षानुसार ऐसे सभी व्यक्तियों की जानकारी के लिए, जिनका उम्र में प्रभावित होना सम्भाव्य है, प्रकाशित किया जाना है; और यह सूचना दी जाती है कि उक्त प्रारूप पर इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से दो मास के अवधान पर या उसके पश्चात विचार किया जाएगा।

उक्त प्रारूप की बाबत जो आक्षेप या सुझाव किसी व्यक्ति से इस प्रकार विनिर्दिष्ट अवधि के पूर्व प्राप्त होंगे उन पर केन्द्रीय सरकार द्वारा विचार किया जाएगा।

प्रारूप स्कीम

1. इस स्कीम का नाम मोरमुगाओ डॉक कर्मकार (नियोजन का विनियमन) संशोधन स्कीम, 1974 है।

2. मोरमुगाओ डॉक कर्मकार (नियोजन का विनियमन) स्कीम, 1965 के खण्ड 32 के उपखण्ड (1) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“(1) आश्रित पूल रजिस्ट्रेशन कर्मकारों को एक मास में कम से कम पन्द्रह दिनों की मद्द्गी भत्ता सहित मद्द्गी, याई द्वारा उस प्रवर्ग के लिए, जिसमें वह कर्मकार स्थायी रूप से

MINISTRY OF TOURISM & CIVIL AVIATION

New Delhi, the 13th December, 1974

S.O. 3435.—In exercise of the powers conferred by section 3 of the International Airports Authority Act 1971 (43 of 1971), the Central Government hereby appoints Shri P. S. Sandhwalia, Director of Engineering, International Airports Authority of India, as a part-time Member of the International Airports Authority of India with effect from the 13th December, 1974 for a period of three years or till the reconstitution of the Authority whichever is earlier.

[AV. 24012/3/74-AA]

C. L. DHINGRA, Dy. Secy.

हो, विहित समुचित मजदूरी वर से ही जाएगी, भले ही उसे एक मास में न्यूनतम पन्द्रह दिनों तक कोई काम उपलब्ध न कराया गया हो। उपरोक्त पन्द्रह दिनों में उन दिनों की गणना की जाएगी जिन दिनों कर्मकार को काम प्राप्त किया गया हो। गारन्टीशुदा मासिक न्यूनतम मजदूरी उन दिनों के लिए होगी जितने दिनों के लिए एक मास में मजदूरी की गारन्टी की गई हो, पर शर्त यह है कि कर्मकार प्रशासनिक निकाय के निर्देशानुसार मास के सभी दिनों काम के लिए उपस्थित था।

परन्तु यदि कोई कर्मकार किसी कार्य विवस की मजदूरी सहित छुट्टी पर अनुपस्थित रहता है, तो गारन्टीशुदा न्यूनतम मजदूरी की आनुपातिक कटौती, इस शर्त के अधीन, नहीं की जाएगी कि जिन दिनों के लिए कार्य के वास्तविक दिनों के लिए मजदूरी, न्यूनतम गारन्टीशुदा मजदूरी, साप्ताहिक खानी वित्त मजदूरी, अवकाश दिन मजदूरी और छुट्टी मजदूरी देय हो उनकी कुल संख्या उस मास में दिनों की कुल संख्या से अधिक नहीं होगी।

परन्तु यह और कि यदि कोई कर्मकार छुट्टी के बिना अनुपस्थित रहता है तो मास में गारन्टीशुदा न्यूनतम मजदूरी ऐसी अनुपस्थिति के दिनों की संख्या के अनुसार घटा दी जाएगी।

परन्तु यह और कि यदि कर्मकार बिना मजदूरी के छुट्टी पर रहता है तो महीने में निश्चित न्यूनतम मजदूरी यथोचित रूप से घटा दी जायेगी।

[फा० सं० यू-20017/13/74-पी एण्ड डी/एल डी]

MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, the 13th December, 1974

S.O. 3436.—The following draft of a Scheme further to amend the Mormugao Dock Workers (Regulation of Employment) Scheme, 1965 which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), is published as required by the said sub-section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the expiry of a period of two months from the date of publication of this notification in the official Gazette.

Any objections or suggestions which may be received from any person with respect to the said draft before the period so specified will be taken into consideration by the Central Government.

DRAFT SCHEME

1. This Scheme may be called the Mormugao Dock Workers (Regulation of Employment) Amendment Scheme, 1974.

2. For sub-clause (1) of clause 32 of the Mormugao Dock Workers (Regulation of Employment) Scheme 1965, the following shall be substituted, namely:—

"(1) A worker in the reserve pool register shall be paid wages at least for fifteen days in a month at the wage rate, inclusive of dearness allowance, as prescribed by the Board appropriate to the category to which he permanently belongs, even though no work is found for him for the minimum number of fifteen days in a month. The days on which

work is allotted to the worker shall be counted towards the fifteen days mentioned above. The guaranteed minimum wages in a month shall be for the number of days for which wages are guaranteed in a month subject to the condition that the worker attended for work on all days of the month as directed by the Administrative Body:

Provided that a worker remains absent on any working day on leave with wages proportionate reduction of guaranteed minimum wages shall not be made subject to the condition that the total number of days for which wages for actual days of work, minimum guaranteed wages, weekly off wages, holiday wages and leave wages payable shall not exceed the total number of days in that month:

Provided further that if a worker remains absent without leave, the guaranteed minimum wages in a month shall be reduced by the number of days of such absence;

Provided further that if a worker remains on leave without wages, the guaranteed minimum wages in a month shall be reduced proportionately."

[File No. U-20017/13/74-P&D/LD]

नई दिल्ली, 17 दिसम्बर, 1974

फा० आ० 3437.—गोदी कर्मकार (रोजगार विनियोजन) अधिनियम 1948 (1948 का 9) की धारा 5 ए की उपधारा (3) और (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए और भारत सरकार के श्रम-पूर्व श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का० आ० 3912 दिनांक 20-11-1970 का अतिक्रमण करने हुए केन्द्रीय सरकार एतद्वारा निम्नलिखित व्यक्तियों का उक्त धारा क की उपधारा 5 ए (1) के अन्तर्गत स्थापित बम्बई गोदी श्रम बोर्ड के सदस्य नियुक्त करती है और बम्बई पत्तन न्याय के अध्यक्ष को उक्त बोर्ड का अध्यक्ष नियुक्त करती है, अर्थात्:—

- (1) अध्यक्ष, बम्बई पत्तन न्याय, बम्बई।
- (2) उपाध्यक्ष, बम्बई गोदी श्रम बोर्ड, बम्बई।
- (3) क्षेत्रीय श्रम आयुक्त (सी), बम्बई।
- (4) श्रम आप्रान्त, बम्बई।
- (5) जनता प्रबन्धक (पश्चिम), भारतीय खाद्य नियम, बम्बई।

गोदी कर्मकारों का प्रतिनिधित्व करने वाले सदस्य:—

- | | |
|-----------------------------|---|
| (1) श्री एस० आर० कुलकर्णी | परिवहन एवं गोदी कर्मकार संघ के प्रतिनिधि। |
| (2) श्री एम० जी० कोतवाल | |
| (3) श्री के० ए० खान | |
| (4) श्री के० आर० प्रसूदेसाई | |
| (5) श्री एच० एन० त्रिवेदी | बम्बई नौभरक एवं गोदी श्रमिक संघ, बम्बई। |

गोदी कर्मकार एवं नौवहन कम्पनियों के कर्मचारियों का प्रतिनिधित्व करने वाले सदस्य:—

- | | |
|-------------------------|-------------------------------|
| (1) श्री डी० ए० धनजीभाय | बम्बई नौभरक संघ के प्रतिनिधि। |
| (2) श्री एस० सी० सेठ | |
| (3) श्री बी० के० इराप | |
| (4) श्री रमिक लाल एच० | |

नरेवानिया

- (5) श्री एन० एम० मेहता

इंडियन नेशनल शिपमा-
नर्स एसोसिएशन के
प्रतिनिधि।
कर्मचारी कान्फेस
(विदेशी नौवहन कम्पनी
के प्रतिनिधि)

[सं० बी-11012/1/73-पी०एण्ड डी०/एल० डी०]

New Delhi, the 17th December, 1974

स्कीम का प्रारूप

S.O. 3437.—In exercise of the powers conferred by sub sections (3) and (4) of section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), and in supersession of the notification of the Government of India in the late Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 3912, dated the 20th November, 1970, the Central Government hereby appoints the following persons to be members of the Bombay Dock Labour Board established under sub-section(1) of the said section 5A and nominate the Chairman, Bombay Port Trust as Chairman of the said Board, namely.

- (1) The Chairman, Bombay Port Trust, Bombay.
- (2) The Deputy Chairman, Bombay Dock Labour Board, Bombay.
- (3) The Regional Labour Commissioner (Central), Bombay.
- (4) The Commissioner of Labour, Bombay.
- (5) The Zonal Manager (West), Food Corporation of India, Bombay.

Members Representing the Dock workers :

- | | |
|---------------------------|---|
| (1) Shri S.R. Kulkarni | Representatives of Transport and Dock Workers' Union. |
| (2) Shri M.G. Kotwal | |
| (3) Shri K.A. Khan | |
| (4) Shri K.R. Prabhudesai | |
| (5) Shri H.N. Trivedi | Representative of the Bombay Stevedores and Dock Labourers' Union Bombay. |

Members representing the employers of Dock, Workers and Shipping Companies.

- | | |
|---------------------------------|---|
| (1) Shri D.A. Dhunjibhoy | Representatives of Bombay Stevedores Association. |
| (2) Shri S.C. Sheth | |
| (3) Shri B.K. Dubash | |
| (4) Shri Rasiklal H. Narechania | Representative of the Indian National Shipowners' Association. |
| (5) Shri N. M. Mehta | Representative of Karmahom Conference (Foreign Shipping interests). |

[No. V-11012/1/73-P&D/ID]

नई दिल्ली, 20 दिसम्बर, 1974

का० प्रा० 3438—मुम्बई अरजिस्ट्रीकृत डॉक निकासी और अग्रेषण कर्मकार (नियोजन का विनियमन) स्कीम, 1973 में और संशोधन करने के लिए स्कीम का निम्नलिखित प्रारूप, जिसे केन्द्रीय सरकार डॉक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 4 की उप धारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए बनाने की प्रस्थापना करती है, उक्त उपधारा की अपेक्षा के अनुसार उन सभी व्यक्तियों की जानकारी के लिए प्रकाशित किया जाता है जिसका उससे प्रभावित होना संभाव्य है; और सूचना दी जाती है कि उक्त प्रारूप पर राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से दो मास की अवधि की समाप्ति पर या उसके पश्चात् विचार किया जाएगा।

उक्त प्रारूप की बाबत किसी व्यक्ति से इस प्रकार विनिर्दिष्ट अवधि के पूर्व प्राप्त आक्षेपों या सुझावों पर केन्द्रीय सरकार द्वारा विचार किया जाएगा।

1. इस स्कीम का नाम मुम्बई अरजिस्ट्रीकृत डॉक निकासी और अग्रेषण कर्मकार (नियोजन का विनियमन) संशोधन स्कीम, 1974 है।

2. मुम्बई अरजिस्ट्रीकृत डॉक निकासी और अग्रेषण कर्मकार (नियोजन का विनियमन) स्कीम, 1973 में,—

(i) खण्ड 7, 8 और 9 के स्थान पर निम्नलिखित खण्ड रखे जाएंगे, अर्थात्:—

“7. साधिवेशन बोर्ड के उत्तरदायित्व और कर्तव्य :

साधिवेशन बोर्ड नीति संबंधी सभी विषयों में निपटने के लिए उत्तरदायी होगा और वह विधिष्ठतः—

- (क) विभिन्न प्रवर्गों में सूचीकृत किए जाने के लिए कर्मकारों की संख्या नियत करेगा;
- (ख) सूचियों और प्रत्याशित अपेक्षाओं के आवधिक पुनर्विलोकन के पश्चात् आवश्यकतानुसार समय-समय पर सूची के किसी प्रवर्ग में कर्मकारों की संख्या में वृद्धि या कमी कर सकेगा;
- (ग) किसी प्रवर्ग में कर्मकारों की विनिर्दिष्ट संख्या में, किसी विनिर्दिष्ट अवधि के लिए अस्थायी सूचीकरण की मंजूरी दे सकेगा;
- (घ) अध्यक्ष की सिफारिश पर नए नियोजकों के सूचीकरण पर विचार कर सकेगा;
- (ङ) स्कीम के अधीन रखे जाने के लिए अपेक्षित प्रारूप, अभिलेख, सूचियाँ, विवरण आदि विहित कर सकेगा;
- (च) मजबूरी भत्ते और सेवा की अन्य शर्तों का अवधारण कर सकेगा और वार्षिक पुनर्विलोकन के पश्चात् मासिक गारंटीकृत न्यूनतम मजबूरी पुनः नियत कर सकेगा;
- (छ) खण्ड 39(1) के अधीन उद्घटन की दर नियत कर सकेगा;
- (ज) डॉक निकासी और अग्रेषण कर्मकार कल्याण निधि में सूचीकृत नियोजकों द्वारा किए जाने वाले अक्षिदाय की दर नियत कर सकेगा;
- (झ) खण्ड 27 के अधीन समितियों की नियुक्ति, उनका उत्साहन या पुनर्गठन कर सकेगा;
- (ञ) वार्षिक बजट मंजूर कर सकेगा;
- (ट) कामिक अधिकारी नियुक्त कर सकेगा;
- (ठ) खण्ड 5 के उपबन्धों के अधीन रहते हुए ऐसे पदों का सृजन मंजूर कर सकेगा जिनका अधिकतम वेतन, भत्तों को छोड़कर 1000 रु० प्रतिमास से अत्यून है और ऐसे पदों पर नियुक्तियाँ कर सकेगा;
- (ड) अनुसूची में परिवर्तनों के बारे में केन्द्रीय सरकार को सिफारिशें कर सकेगा;
- (डू) स्कीम में किन्हीं उपास्तनों के बारे में केन्द्रीय सरकार को सिफारिशें कर सकेगा;
- (ण) ऐसे विवादों को तय करने का प्रयास कर सकेगा जिनके बारे में सम्बद्ध पक्षकारों द्वारा, केन्द्रीय सरकार को न्यायनिर्णय करने के लिए अनुरोध किया गया है, और ऐसे प्रयासों के परिणाम सरकार को बताएगा;
- (त) श्रम-उत्पाद और पोलों के बिरासकाल के आंकड़ों पर विचार-विमर्श कर सकेगा तथा अपने संश्लेषणों और निदेशों को लेखबद्ध कर सकेगा, और अपने द्वारा यथानिर्दिष्ट अनुसूचित

बैंकों में खाते खोलने की तथा ऐसे खातों का ऐसे व्यक्तियों द्वारा, जो बोर्ड द्वारा समय पर निर्दिष्ट किए जाए, प्रचालन की मंजूरी दे सकेगा।

8 अध्यक्ष के उत्तरदायित्व और कर्तव्य—(1) अध्यक्ष को स्कीम के दिन-प्रति दिन के प्रशासन से संबंधित सभी बातों से निपटने के लिए पूरी प्रशासनिक और कार्यपानक शक्तियां तथा विशिष्ट रूप से निम्नलिखित शक्तियां प्राप्त होंगी—

- (क) यह सुनिश्चित करना कि कर्मचारों की सूचियों के समायोजन के संबंध में बोर्ड के विनिश्चय घोषणा से कार्यान्वित किए जाते हैं;
- (ख) यह सुनिश्चित करना कि कर्मचारों के अस्थायी सूचीकरण के लिए मंजूरीया बिना विलम्ब के कार्यान्वित की जाती हैं;
- (ग) (i) प्रशासनिक निकाय के काम का पर्यवेक्षण और नियंत्रण करना;
- (ii) यदि वह किन्हीं अनियमितताओं का पता लगाता है या उसकी जानकारी से भ्रांती है तो उपयुक्त कदम उठाना;
- (घ) पोतस्वामियों या पोतपरिवहन अभिकर्ताओं से परामर्श करके यह सुनिश्चित करना कि सूचीकृत नियोजकों द्वारा उनके पोतों पर नियोजित कर्मचारों पर पर्याप्त पर्यवेक्षण की व्यवस्था की गई है;
- (ङ) यह सुनिश्चित करना कि कर्मचारों के स्थानान्तरण और प्रोन्नति के संबंध में स्कीम के उपबन्धों को कार्यान्वित किया जाता है;
- (च) जब अपेक्षित हो, चिकित्सा बोर्डों का गठन करना;
- (छ) यह सुनिश्चित करना कि नियोजकों के सूचीकरण के लिए स्कीम में अधिकृत शर्तों का अनुपालन किया जाता है;
- (ज) यह सुनिश्चित करना कि स्कीम के अधीन विहित सभी प्ररूप, सूचियां, विवरणियां और दस्तावेज उचित तौर पर रखे जाते हैं;
- (झ) यह सुनिश्चित करना कि श्रम उत्पाद और पोतों के विरामकाल के संबंध में उपयुक्त आंकड़े संकलित किए जाते हैं और समुचित टिप्पणियों तथा स्पष्टीकरणों सहित प्रति त्रिमासी बोर्ड के समक्ष रखे जाते हैं;
- (आ) (i) ऐसे पदों का सृजन मंजूर करना जिनका अधिकतम वेतन, भत्तों को छोड़कर आठ सौ रुपये प्रति मास से कम है और ऐसे पदों पर नियुक्ति करना;
- (ii) ऐसे पदों पर नियुक्तियों करना जिनका अधिकतम वेतन, भत्तों को छोड़कर प्रतिमास आठ सौ रुपये से कम है;
- (ट) स्कीम के उपबन्धों के अनुसार कर्मचारों और नियोजकों के विरुद्ध अनुशासनिक कार्यवाही करना;
- (ठ) प्रति सप्ताह या प्रतिमास प्रति कर्मकार पारियों की अधिकतम संख्या में छूट देना और ऐसे मामलों की बोर्ड को रिपोर्ट करना;
- (ड) यह घोषणा करना कि 'मन्द गति से कार्य' की स्थिति चल रही है और स्कीम के अधीन यथाप्राधिकृत कार्यवाही करना;
- (व) 'भाषात स्थिति' की घोषणा करना और स्कीम के अधीन यथाप्राधिकृत कार्यवाही करना;

(ण) डाक कर्मकार (नियोजन का विनियमन) नियम, 1962 के नियम 6 के अधीन केन्द्रीय सरकार को, जब आवश्यक हो, रिपोर्ट करना;

(त) स्कीम में उपबन्धित के अनुसार नियोजक या कर्मकार के अनुरोध पर मासिक कर्मकार का आरक्षित पुनर्स्थापनांतरण मंजूर करना;

(थ) कर्मचारों और नियोजकों से खण्ड 36 और 37 के अधीन प्राप्त अपीलों का निपटारा;

(द) एक मास के अन्तर्गत की अवधि के लिए उप-अध्यक्ष के पद में अग्रप्राप्त रिक्ति भरना और अनुमोदन के लिए केन्द्रीय सरकार को ऐसे मामले की रिपोर्ट करना।

(ध) स्कीम के अधीन, अध्यक्ष में विनिश्चित निहित सभी अन्य कर्तव्यों और उत्तरदायित्वों का निर्वहन करना।

(2) अध्यक्ष, ऐसी शर्तों पर जो वह ठीक समझता है, सब (अ) (i), (अ) (ii), (इ), (उ), (ण), (थ), (द) और (ध) में उल्लिखित कर्तव्यों को छोड़कर उप-खण्ड (1) के अधीन किन्हीं भी कर्तव्यों का, लिखित में, उपाध्यक्ष को प्रत्यायोजन कर सकेगा। तथापि, ऐसा प्रत्यायोजन अध्यक्ष को अपनी शक्तियों से निविहित नहीं करेगा।

9. उपाध्यक्ष के उत्तरदायित्व और कर्तव्य उपाध्यक्ष, बोर्ड का पूर्णकालिक अधिकारी होगा और अध्यक्ष की उसके कृत्यों के निर्वहन में सहायता करेगा और विशिष्टतः—

“(क) खण्ड 34 के अधीन अनुज्ञात विस्तार तक सूचीकृत नियोजकों और डाक कर्मचारों के विरुद्ध अनुशासनिक कार्यवाही से संबंधित सभी कृत्यों को निर्वहन करेगा;

(ख) ऐसे अभ्य कृत्य करना जो उसे लिखित में अध्यक्ष द्वारा प्रत्यायोजित किए जाएं;

(ग) बोर्ड की उन समितियों में अध्यक्ष के रूप में कृत्य करना जिनका वह सदस्य नामनिर्दिष्ट किया जाए;

(घ) अध्यक्ष की अनुपस्थिति में बोर्ड के अधिवेशनों का सभापतित्व करना और;

(ङ) ऐसे पदों पर नियुक्तियां करना, जिनका अधिकतम वेतन, भत्तों को छोड़कर, प्रति मास पांच सौ पचहत्तर रुपये से अधिक नहीं है।”

(ii) खण्ड 19 के उपखण्ड (1) में से

“और साथ-साथ उनके पास ऐसी फीस जमा कर सकेगा जो हम निमित्त विहित की जाए” शब्दों का लोप किया जाएगा;

(iii) खण्ड 25 के परन्तुक का लोप किया जाएगा;

(iv) खण्ड 38 के उपखण्ड (2) में—

(क) सब (i) की उप सब (ख) के पश्चात् निम्नलिखित परन्तुक जोड़ा जाएगा, अर्थात्—

“परन्तु यह कि उप सब (ख) के अधीन नाम हटाने का निदेश, नियोजकों को सुनवाई का युक्तियुक्त अवसर दिए जाने के पश्चात् के मित्याय नहीं किया जाएगा।”

(ख) सब (ii) की उप मद (क) के पश्चात् निम्नलिखित परन्तु जोड़ा जाएगा, अर्थात्—

“परन्तु यह कि उप मद (घ) के अधीन ऐसी सेवा की समाप्ति या उप मद (क) के अधीन पदच्युति, कार्यकार की सुनवाई का युक्तियुक्त अवसर देने के पश्चात् के सिवाय, नहीं की जाएगी।”

[एच-11021/6/74-पी एण्ड डी/एल डी]

बी० शंकराणिगम,
प्रवर सचिव (अम)

New Delhi, the 20th December, 1974

S.O. 3438.—The following draft of a scheme further to amend the Bombay Unregistered Dock Clearing and Forwarding Workers (Regulation of Employment) Scheme, 1973 which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), is published as required by the said sub-section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the expiry of a period of two months from the date of publication of this notification in the Official Gazette.

Any objections or suggestions which may be received from any person with respect to the said draft before the period so specified will be taken into consideration by the Central Government.

DRAFT SCHEME

1. This Scheme may be called the Bombay Unregistered Dock Clearing and Forwarding Workers (Regulation of Employment) Amendment Scheme, 1974.

2. In the Bombay Unregistered Dock Clearing and Forwarding Workers (Regulation of Employment) Scheme, 1973:

(i) for clauses 7, 8 and 9, the following shall be substituted, namely:—

“7. Responsibilities and duties of the Board in meeting:

The Board in meeting shall be responsible for dealing with all matters of policy and in particular may—

- (a) fix the number of workers to be listed under various categories;
- (b) increase or decrease the number of workers in any category on the list from time to time as may be necessary after a periodical review of the list and anticipated requirements;
- (c) sanction the temporary listing of a specified number of workers in any category for a specific period;
- (d) consider listing of new employers on the recommendation of the Chairman;
- (e) prescribe forms, records, lists, statements and the like required to be maintained under the Scheme;
- (f) determine the wages, allowance and other conditions of service, and re-fix the guaranteed minimum wages in a month after annual review;
- (g) fix the rate of levy under clause 39(1);
- (h) fix the rate of contribution to be made by listed employers to the Dock Clearing and Forwarding Workers Welfare Fund;
- (i) appoint, abolish or reconstitute Committees under clause 27;
- (j) sanction the Annual Budget;
- (k) appointment of Personnel Officer;

- (l) subject to the provisions of clause 5 sanction creation of posts the maximum salary of which exclusive of allowances is not less than Rs. 1250 per mensem and make appointments to such posts;
- (m) make recommendations to the Central Government about changes in Schedule;
- (n) make recommendations to the Central Government about any modifications in the Scheme;
- (o) endeavour to settle disputes about which a request for adjudication has been made to the Central Government by parties concerned and report to the Government the result of such endeavours;
- (p) discuss statistics of output of labour and turn-round of ships and record its observations and directions; and
- (q) sanction the opening of accounts in such scheduled Banks as it may direct and the operation of such accounts by such persons as the Board may from time to time direct.

8. Responsibilities and duties of Chairman.—(1) The Chairman shall have full administrative and executive powers to deal with all matters relating to the day-to-day administration of the Scheme and in particular :—

- (a) to ensure that the decision of the Board in regard to adjustment of the workers' lists are carried out expeditiously;
- (b) to ensure that the sanctions for temporary listing of workers are carried out without delay;
- (c) (i) to exercise and control the working of the Administrative Body;
- (ii) to take suitable steps if any irregularities are detected by him or brought to his notice;
- (d) to ensure in consultation with ship-owners or shipping agents that proper and adequate supervision is provided by the listed employers over the workers employed on their ships;
- (e) to ensure that the provisions of the Scheme in regard to transfer and promotion of workers are carried out;
- (f) to constitute Medical Boards when required;
- (g) to ensure that conditions, laid down in the Scheme, for the listing of employers are complied with by them;
- (h) to ensure that all forms, lists, returns and documents, prescribed under the Scheme are properly maintained;
- (i) to ensure that suitable statistics in regard to the output of labour and the turn-round of ships are compiled and placed before the Board every quarter with appropriate remarks and explanations;
- (j) (i) to sanction the creation of posts the maximum salary of which exclusive of all allowances is below rupees one thousand per month and to make appointments to such posts;
- (ii) to make appointments to posts the maximum salary of which exclusive of all allowances is below rupees eight hundred per month.
- (k) to take disciplinary action against workers and employers in accordance with the provisions of the Scheme;
- (l) to allow relaxation in the maximum number of shifts per worker per week or per month, and to report such cases to the Board;
- (m) to declare that there has been a 'go-slow' and to take action as authorised under the Scheme;
- (n) to declare a 'state of emergency' and to take action as authorised under the Scheme;

- (o) to make a report, when necessary, to the Central Government under rule 6 of the Dock Workers (Regulation of Employment) Rules, 1962,
- (p) to sanction the transfer of a monthly worker to the reserve pool at the request of the employer or the worker, as provided for in the Scheme;
- (q) to deal with appeals from workers and employers under clauses 36 and 37,
- (r) to fill an unexpected vacancy in the post of Deputy Chairman for a period of less than one month and report such matters to Central Government for approval, and
- (s) to discharge all other duties and responsibilities specifically vested in the Chairman under the Scheme

(2) The Chairman may subject to such conditions as he thinks fit delegate in writing to the Deputy Chairman any of the functions under sub-clause (1) excepting those mentioned in items (j)(i), (j) (ii), (m), (n), (o), (q), (r) & (s), such delegation, however, shall not divert the Chairman of his powers

9 Responsibilities and duties of the Deputy Chairman.—The Deputy Chairman shall be a whole-time officer of the Board and shall assist the Chairman in the discharge of his functions and in particular —

- (a) discharge all functions relating to disciplinary action against land employers and dock workers to the extent permitted under clause 34,
 - (b) exercise such other functions as are delegated to him in writing by the Chairman;
 - (c) function as Chairman of Committees of the Board of which he may be nominated a member, and
 - (d) preside over the meetings of the Board in the absence of the Chairman,
 - (e) make appointments to the posts, the maximum salary of which exclusive of allowances is not more than seven hundred and fifty rupees per mensem";
 - (ii) in sub clause (1) of clause 19, the following words shall be omitted, namely.—
- "and simultaneously deposit with him such fees as may be prescribed in this behalf";
- (iii) the proviso to clause 25 shall be omitted;
 - (iv) in sub-clause (2) of clause 38—

- (a) after sub item (b) of item (i), the following proviso shall be added, namely:—

"Provided that no such removal under sub-item (b) shall be made except after giving the employer a reasonable opportunity of being heard.";

- (b) after sub item (e) of item (ii), the following proviso shall be added, namely —

"Provided that no such termination under sub-item (d) or dismissal under sub-item (e) shall be made except after giving the worker a reasonable opportunity of being heard."

[H-11021/6/74-P&D/LD]

V SANKARALINGAM, Under Secy

नई दिल्ली, 18 दिसम्बर, 1974

का० प्रा० 3439 —राष्ट्रीय नौवहन बोर्ड नियम, 1960 के नियम 4 के उप नियम (2) के साथ पठित व्यापार पोत अधिनियम, 1958 (1958 का 44) की धारा 4 द्वारा प्रदत्त शक्तियाँ का प्रयोग करते हुए केन्द्रीय सरकार एड्वोकेट श्री ए० बी० दातार को श्री बाह्य कृष्णम के स्थान पर राष्ट्रीय नौवहन बोर्ड में केन्द्रीय सरकार का प्रतिनिधित्व करने

वाला सदस्य नियुक्त करती है और भारत सरकार नौवहन और परिवहन मंत्रालय (परिवहन पक्ष) की अधिसूचना सं० का० प्रा० 895 दिनांक 13 मार्च, 1974 में निम्नलिखित सशोधन करती है, अर्थात् —

उक्त अधिसूचना में, श्रम संख्या 10 के सामने की प्रवृष्टि के स्थान पर प्रविष्टि "श्री ए० बी० दातार" रखी जाए।

[सं० 37-एम० डी(10)/73]

म० कृ० रामस्वामी, अवर सचिव

New Delhi, the 18th December, 1974

S.O. 3439.—In exercise of the powers conferred by section 4 of the Merchant Shipping Act, 1958 (44 of 1958), read with sub-rule (2) of rule 4 of the National Shipping Board Rules, 1960, the Central Government hereby appoints Shri A. B. Datar, as a member representing the Central Government in the National Shipping Board in place of Shri Y. Krishnan and makes the following amendment in the Notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) No S.O. 895, dated the 13th March, 1974, namely:—

In the said Notification for the entry against serial numbers 10 the entry "Shri A. B. Datar" shall be substituted.

[No 37-MD(10)/73]

M K RAMASWAMY, Under Secy.

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 4 दिसम्बर, 1974

का० प्रा० 3440.—चलचित्त अधिनियम, 1952 की धारा 5(1) और चलचित्त (सेसर) नियमावली, 1958 के नियम 9 के उप-नियम (2) के साथ पठित नियम 8 के उपनियम (3) द्वारा प्रवृत्त अधिकारों का प्रयोग करते हुए, केन्द्रीय सरकार ने केन्द्रीय फ़िल्म सेसर बोर्ड से परामर्श करके एतद् द्वारा निम्नलिखित व्यक्तियों को 1 अक्टूबर, 1974 से 31 दिसम्बर, 1974 तक, उक्त बोर्ड के बम्बई सलाहकार पैनल का फ़िरसे सदस्य नियुक्त किया है —

- 1 श्री कमलेश्वर
- 2 श्री के० जी० अग्रवाल
- 3 श्री एस० एम० रेगे
- 4 प्रो० (श्रीमती) विजया राजाध्वस
- 5 श्री डी० जी० नावकर्णी
- 6 प्रो० मुरली ठाकुर
- 7 डा० (श्रीमती) चारुशीला डी० गुप्त
- 8 श्रीमती कमला तिलक
- 9 श्रीमती पद्मा के० देसाई
- 10 डा० (कुमारी) लक्ष्मि एस० गानेजी
- 11 श्रीमती नलिनी एस० मुखयकर
- 12 श्रीमती मणिबेन देसाई
- 13 श्रीमती टी० बी० वेहेजिया
- 14 श्रीमती लक्ष्मी बाही
- 15 श्री एस० डी० शाह
- 16 श्री गंगाराम जोशी
- 17 श्री एस० ई० हुसनेन

- | | |
|---------------------------|------------------------------|
| 21 श्रीमती धार० एस० बोगा | 27 श्रीमती प्राणा सेठ |
| 22 श्री रसिक जे० शाह | 28 श्रीमती मजु प्रयाग |
| 23 श्रीमती मृणालिनी चौकसी | 29 श्री जोए प्रन्सारी |
| 24 श्रीमती सविता एन० बापट | 30 श्रीमती उमिला कपूर |
| 25 श्रीमती एम० गुलराजानी | 31 श्री डी० पी० प्रानन्द |
| 26 श्रीमती मालती गिलानी | [फा० संख्या 11/3/72-एफ० सी०] |

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 4th December, 1974

S.O. 3440.—In exercise of the powers conferred by section 5(1) of the Cinematograph Act, 1952 and sub-rule (3) of rule 8 read with sub-rule (2) of rule 9 of the Cinematograph (Censorship) Rules, 1958, the Central Government hereby re-appoints the following persons after consultation with the Central Board of Film Censors, as members of the Advisory Panel of the said Board at Bombay with effect from 1st October, 1974 upto 31st December, 1974:—

1. Shri Kamaleshwar
2. Prof. K. G. Aggarwal
3. Shri S. S. Rege.
4. Prof. (Smt.) Vijaya Rajadhyaksha.
5. Shri D. G. Nadkarni.
6. Prof. Murlī Thakur.
7. Dr. (Smt.) Charusheela B. Gupta.
8. Smt. Kamala Tilak.
9. Smt. Padma K. Desai.
10. Dr. (Miss) Labuben S. Soneji.
11. Smt. Nahini S. Sukthankar.
12. Smt. Mamben Desai.
13. Smt. T. V. Deheja.
14. Smt. Laxmi Wahi.
15. Shri S. D. Shah.
16. Shri Ganga Ram Joshi.
17. Shri S. E. Hassnain.
18. Smt. Kamala Dua.
19. Shri Talakshi Shah
20. Shri Rajnaram Singh.
21. Smt. R. S. Boga.
22. Shri Rasik J. Shah.
23. Smt. Mrinalini Choksi.
24. Smt. Lalita N. Bapat.
25. Smt. S. Gulrajani.
26. Smt. Malati Gilani.
27. Smt. Asha Sheth.
28. Smt. Manjū Agarwal.
29. Shri Zoe Ansari.
30. Smt. Urmila Kapoor.
31. Shri D. P. Anand.

[F. No. 11/3/72-FC]

फा० सं० 3441.—चलचित्र अधिनियम, 1952 की धारा 5(1) और चलचित्र (सेन्सर) नियमावली, 1958 के नियम 9 के उप-नियम (2) के साथ पठित नियम 8 के उप-नियम (3) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए, केन्द्रीय सरकार ने केन्द्रीय फिल्म सेन्सर बोर्ड से परामर्श करने के बाद, एतद् द्वारा निम्नलिखित व्यक्तियों को 1 अक्टूबर 1974 से 31 दिसम्बर, 1974 तक, उक्त बोर्ड के मद्रास सलाहकार पैनल का सदस्य फिर से नियुक्त किया है:—

- | | |
|-----------------------------------|---------------------------------|
| 1 श्री टी० नीलकन्तन | 15 श्री सी० धार० शर्मा |
| 2 श्रीमती सौन्द्रा कैलासम | 16 श्रीमती राजी रंगाचारी |
| 3 श्री मोहम्मद यूसुफ कोकण | 17 श्रीमती पद्मिनी प्रचुता मेनन |
| 4 श्री एम० गोविन्दन | 18 श्रीमती एन० एस० मर्षि |
| 5 श्रीमती सी०एल० मीनाक्षी प्रम्मा | 19 डा० एस० विजयालक्ष्मी |
| 6 श्री पी० बी० चलपतेश्वर राव | 20 श्रीमती लीला पार्थसारथी |
| 7 श्रीमती मेरी क्लब वाला जादव | 21 कुमारी पी० शान्ताबाई |
| 8 श्री पी० के० रामलिंगम | 22 श्रीमती एम० लीलावती |
| 9 श्री जी० वरदप्पा | 23 श्रीमती रोहिणी कृष्णचन्द्र |
| 10 श्रीमती धार० सुवर्ण | 24 डा० (कुमारी) सी०एम्० लीलावती |
| 11 श्रीमती पी० बी० भागीरथी | 25 श्रीमती हेमसता प्रजनेयुलु |
| 12 श्रीमती बर्षा लोबो | 26 श्रीमती सारा सैयद यूसुफ |
| 13 श्रीमती इन्दिरा डी० कोठारी | 27 श्रीमती जी० दुबे |
| 14 श्रीमती मालती चेन्दूर | 28 श्रीमती पद्मा सदानन्दम् |

[संख्या एफ० 11-4-72-एफ० सी०]

S.O. 3441.—In exercise of the powers conferred by section 5(1) of the Cinematograph Act, 1952, and sub-rule (3) of rule 8 read with Sub-rule (2) of rule 9 of the Cinematograph (Censorship) Rules, 1958, the Central Government hereby re-appoints the following persons after consultation with the Central Board of Film Censors, as members of the Advisory Panel of the said Board at Madras with effect from 1st October, 1974 upto 31st December, 1974:—

1. Shri T. Neelakanthan
2. Smt. Soundra Kailasam
3. Shri Mohd Yousuf Kokan
4. Shri M. Govindan
5. Smt. C. I. Meenakshi Amma
6. Shri P. V. Chalapatheswara Rao
7. Smt. Mary Clubwala Jadhav
8. Shri P. K. Ramalingam.
9. Shri G. Varadappa
10. Smt. R. Suvarna
11. Smt. P. V. Bhagurathi
12. Smt. Bertha Lobo
13. Smt. Indira D. Kothari
14. Smt. Malati Chendur
15. Shri C. R. Sarma
16. Smt. Raji Rangachari
17. Smt. Padmini Achutha Menon
18. Smt. N. S. Mani
19. Dr. S. Vijayalakshmi
20. Smt. Leela Parthasarathi.
21. Kumari P. Shanta Bai
22. Smt. M. Leelavathi
23. Smt. Rohini Krishnachandra
24. Dr. (Miss) C. M. Leelavati
25. Smt. Hemlata Anjaneyulu
26. Smt. Sara Syed Yusuff
27. Smt. G. Dubey
28. Smt. Padma Sadanandam

[F No 11/4/74-FC]

फा० सं० 3442.—चलचित्र अधिनियम, 1952 की धारा 5(1) और चलचित्र (सेन्सर) नियमावली, 1958 के नियम 9 के उप-नियम (2) के साथ पठित नियम 8 के उपनियम (3) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए, केन्द्रीय सरकार ने केन्द्रीय फिल्म सेन्सर बोर्ड से परामर्श करने के बाद एतद् द्वारा निम्नलिखित व्यक्तियों को 1 अक्टूबर, 1974 से 31 दिसम्बर, 1974 तक उक्त बोर्ड के कलकत्ता सलाहकार पैनल का फिर से सदस्य नियुक्त किया है:—

- | | |
|--------------------------------|----------------------------|
| 1 श्रीमती उमा सहानबिस | 8 श्री सुजीत के० चक्रवर्ती |
| 2 श्री सैलन मुखर्जी | 9 श्री धार० पी० गुप्त |
| 3 श्रीमती प्रभू सईद अय्यूब | 10 श्री अनन्त महापात्रा |
| 4 श्रीमती काजल सेनगुप्त | 11 श्रीमती उषा खान |
| 5 श्रीमती शैब्या दत्त | 12 श्री रानेन अयन दत्त |
| 6 श्रीमती प्राणा पूर्णा रेड्डी | 13 श्रीमती जयश्री सेन |
| 7 श्रीमती रीता रे | 14 श्रीमती मीनाक्षी बासु |

[फाइल सं० 11/5/72-एफ० सी०]

S.O. 3442.—In exercise of the powers conferred by section 5(1) of the Cinematograph Act, 1952 and sub-rule (3) of rule 8 read with sub-rule (2) of rule 9 of the Cinematograph (Censorship) Rules, 1958, the Central Government hereby re-appoints the following persons after consultation with the Central Board of Film Censors, as members of the Advisory Panel of the said Board at Calcutta with effect from 1st October, 1974 upto 31st December, 1974:—

- | | |
|--------------------------|------------------------------|
| 1. Smt. Uma Sahababis | 8. Shri Sujit K. Chakrabarti |
| 2. Shri Sailen Mookerji | 9. Shri R. P. Gupta |
| 3. Smt. Abu Sayeed Ayyub | 10. Shri Anant Mahapatra |
| 4. Smt. Kajal Sen Gupta | 11. Smt. Usha Khan |
| 5. Smt. Shaibya Dutt | 12. Shri Ranen Ayan Dutta |
| 6. Smt. Asha Purna Debi | 13. Smt. Jayasree Sen |
| 7. Smt. Rita Ray | 14. Smt. Minakshi Basu |

[F. No 11/5/72-FC]

का० प्रा० 3443—चलचित्र अधिनियम, 1952 की धारा 3 की उप-धारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए, केन्द्रीय सरकार ने एतद् द्वारा निम्नलिखित व्यक्तियों को 1 अक्टूबर, 1974 से 31 दिसम्बर, 1974 तक, केन्द्रीय फिल्म सेंसर बोर्ड का फिर से सदस्य नियुक्त किया है:—

- | | |
|----------------------------|---------------------------|
| 1. श्री जी० चार० चोपड़ा | 6. श्री बी० एन० सरकार |
| 2. श्रीमती बीना दुग्गल | 7. श्री ए० एन० श्रीनिवासन |
| 3. श्रीमती सुरेन्द्र गुप्त | 8. श्री सी० आर० सुन्दरम् |
| 4. श्री पी० सी० मैथ्यू | 9. श्री डेविड अब्राहम |
| 5. श्रीमती एम० तमसल्लवाह | |

[का० सं० 11/6/72-एफ० सी०]
के० पी० के० नायर, अवर सचिव

S.O. 3443.—In exercise of the powers conferred by sub-section (1) of section 3 of the Cinematograph Act, 1952, the Central Government hereby re-appoints the following persons as members of the Central Board of Film Censors with effect from 1st October, 1974 upto 31st December, 1974:—

- | | |
|------------------------|--------------------------|
| 1. Shri B. R. Chopra | 6. Shri B. N. Sircar |
| 2. Smt. Veena Duggal | 7. Shri A. L. Srinivasan |
| 3. Smt. Suminder Gupta | 8. Shri C. R. Sundaram |
| 4. Shri P. C. Mathew | 9. Shri David Abraham |
| 5. Smt. M. Nasrullah | |

[F. No. 11/6/72-FC]
K. P. K. NAYAR, Under Secy.

संचार मंत्रालय
(डाक-तार बोर्ड)

नई दिल्ली, 17 दिसम्बर, 1974

का० प्रा० 3444—स्थायी आदेश सख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 134 के खंड III के पैरा (क) के अनुसार डाक-तार महानिदेशक ने चेरपू टेलीफोन केन्द्र में दिनांक 16-1-75 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है

[स० 5/-15/74-पीएचबी]

पी० सी० गुप्ता, सहायक महानिदेशक
(पी० एच० बी)

MINISTRY OF COMMUNICATIONS

(P & T Board)

New Delhi, the 17th December, 1974

S.O. 3444.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 16-1-1975 as the date on which the Measured Rate System will be introduced in Cherpu Telephone Exchange, Kerala Circle.

[No. 5-15/74-PHB]

P. C. GUPTA, Assistant Director General (PHB)

निर्माण और आवास मंत्रालय
(सम्पदा निदेशालय)

नई दिल्ली, 26 दिसम्बर, 1974

का० प्रा० 3445—राष्ट्रपति, मूल नियमों के नियम 45 के उपबन्धों के अनुसरण में, सरकारी निवास-स्थानों का आवंटन (दिल्ली में साधारण पूल) नियम, 1963 में और संशोधन करने के लिये निम्न लिखित नियम बनाते हैं; अर्थात् —

(1) इन नियमों का नाम सरकारी निवास-स्थानों का आवंटन (दिल्ली में साधारण पूल) संशोधन नियम, 1974 है।

(2) ये अगले आवंटन वर्ष में प्रवृत्त होंगे।

(2) सरकारी निवास स्थानों का आवंटन (दिल्ली में साधारण पूल) नियम, 1963 में नियम अनु० नि० 317-ए-5 में, विद्यमान सारणी के स्थान पर निम्नलिखित सारणी रखी जायेगी, अर्थात् —

निवास-स्थान की टाहप	अधिकारी का प्रवर्ग या जिस वर्ग में आवंटन किया गया है उस आवंटन वर्ष के प्रथम दिन को उसकी मासिक उपलब्धियाँ
1.	260 रु० से कम.
2.	500 रु० से कम किन्तु 260 रु० से अत्यन्त.
3.	700 रु० से कम किन्तु 500 रु० से अत्यन्त.
4.	1000 रु० से कम किन्तु 700 रु० से अत्यन्त.
5.	1650 रु० से कम किन्तु 1000 रु० से अत्यन्त.
6.	2500 रु० से कम किन्तु 1650 रु० से अत्यन्त.
7.	2500 रु० और उससे ऊपर (निवाय उनके जो टाहप 8 के पात्र हैं)
8.	केन्द्रीय सरकार के अपर सचिव और अधिकारी की हैसियत के अधिकारी।

[का० सं० 12033(6)/73(पी० 2)]

पी० बी० कुलकर्णी, उप सम्पदा निदेशक (नीति-2)

MINISTRY OF WORKS AND HOUSING (Directorate Of Estate)

New Delhi, the 26th December, 1974

S.O. 3445.—In pursuance of the provisions of rule 45 of the Fundamental Rules, the President hereby makes the following rules further to amend the Allotment of Government Residences (General Pool in Delhi) Rules, 1963 namely:—

1. (1) These rules may be called the Allotment of Government Residences (General Pool in Delhi) Amendment Rules, 1974.

(2) They shall come into force with effect from the next allotment year.

2. In the Allotment of Government Residences (General Pool in Delhi) Rules, 1963, in rule S.R. 317-B-5 for the existing table the following table shall be substituted, namely:—

Type of Residence	Category of officer or his monthly emoluments as on the first day of the allotment year in which the allotment is made.
-------------------	---

- | |
|--|
| I. Less than Rs. 260/- |
| II. Less than Rs. 500/- but not less than Rs. 260/- |
| III. Less than Rs. 700/- but not less than Rs. 500/- |
| IV. Less than Rs. 1000/- but not less than Rs. 700/- |
| V. Less than Rs. 1650/- but not less than Rs. 1000/- |
| VI. Less than Rs. 2500/- but not less than Rs. 1650/- |
| VII. Rs. 2500/- and above (except those eligible for type VIII) |
| VIII. Officers of the status of Additional Secretaries and Secretaries to the Government of India. |

[F. No. 12033(6)/73-Pol (II)]

P.B. KULKARNI,
Deputy Director of Estates (Policy-II)

श्रम मंत्रालय

आदेश

नई दिल्ली, 22 अक्टूबर, 1974

का० आ० 3446—यतः केन्द्रीय सरकार की राय है कि इससे उपायद्वय अनुसूची में विनिर्दिष्ट विषयों के बारे में श्री कन्हैयालाल, खान स्वामी, ग्राम लम्बाकुवा, डाकघर दाबी, जिला बुन्दी (राजस्थान) से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम की धारा 7क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

“क्या श्री कन्हैयालाल, खान स्वामी, ग्राम लम्बा कुवा, डाकघर दाबी, जिला बुन्दी (राजस्थान) की लम्बाकुवा बलुआ पत्थर खानों में नियोजित किसी मधेन राष्ट्रीय और स्थानीय अवकाश दिनों की स्वीकृति के हकदार है?”

[स० एल०-29011(50)/74-एल० आर०-4]

MINISTRY OF LABOUR

ORDER

New Delhi, the 22nd October, 1974

S.O. 3446.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to Shri Kanhyalal, Mine Owner, Village Lambakuwa, Post Office Dabi, District Bundi (Rajasthan) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Jabalpur constituted under section 7A of the said Act.

SCHEDULE

“Whether the workmen employed in Lambakuwa Sand Stone Mines of Shri Kanhyalal, Mine Owner, Village Lambakuwa, Post Office Dabi, District Bundi (Rajasthan) are entitled to grant of any paid National and Festival holidays?”

[No. L-29011(50)/74-LR-IV.]

आदेश

नई दिल्ली, 8 नवम्बर, 1974

का० आ० 3447.—यतः केन्द्रीय सरकार की राय है कि इससे उपायद्वय अनुसूची में विनिर्दिष्ट विषयों के बारे में मस एम० कान्तिलाल एण्ड

कंपनी (प्राइवेट) लिमिटेड के प्रबंधन ने सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण (संख्या 1), बम्बई को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या मैसेर्स एम० कान्तिलाल एण्ड कंपनी (प्राइवेट) लि०, खान स्वामी, मारगाओ-गोवा के प्रबंधन के नीचे खनिज कर्मचारियों की काम बन्दी करने की कार्रवाई न्यायोचित है? यदि नहीं, तो प्रभावित कर्मकार किस अनुतोष हकदार है?

उन कर्मचारियों की सूची जिनकी 3-8-71 से कामबन्दी की गई

क्रमिक	नाम	पद नाम	स्थान
1.	सूर्यकन्द कोउलेकर	निषिक	सेनकोडेंम खान
2.	एकमाल्टागाओ वीगास	”	”
3.	एम० जी० अवेडिकर	”	”
4.	एम० वी० गाउनकर	”	”
5.	श्रीकान्त एम० नायक	”	”
6.	बी० आर० कापरे	एम/मेट	”
7.	डी० डी० खोडोलकर	”	”
8.	के० जी० नायक	चपरसी	”
9.	भोटों राम नायक	चालक-क	”
10.	सूर्य आर० नायक	चालक-अ	”
11.	आर० एम० बोदोवकर	सफाई करने वाला	”
12.	आर० बाई० नायक	”	”

उन कर्मचारियों की सूची, जो 1-8-1974 से कामबन्दी पर हैं

1.	मनोहर नायक	मेट	मार्गोटिचो गोडे खान
2.	शंकर गावोंकर	चपरसी	विलियना खान
3.	मनोहर नेवेलकर	चालक	नानोरा खान
4.	दिनकर खोडकर	निषिक	विगाणी कार्यालय
5.	मैनुअल पिण्टो	निषिक	”
6.	मधुकर अनन्त यादव	पर्यवेक्षक	नदी किनारे का प्लाट
7.	पुरुषोत्तम मोक्षीकोडकर	वास्टर	मिगल खान
8.	भिमा भीम पी० नायक	1 जुलाई, 1974 से सपोडक परिचालक	”
9.	डांड मुलमान	संयोज परिचालक	बरजन खान

[स० एल-26011/16/74-एल० आर० 4]

ORDER

New Delhi, the 8th November, 1974

S.O. 3447.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs S. Kantilal and Company (Private) Limited, and their workmen in respect of the matters specified in the Schedule hereto annexed;

AND WHEREAS the Central Government considers it desirable to refer the said dispute for adjudication;

Now, THEREFORE, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal (No. 1) Bombay constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of Messrs S. Kantilal and company (Private) Limited, Mine Owners, Margao-Goa in laying off workmen mentioned below is justified? If not, to what relief the affected workmen entitled?

List of employees kept under lay-off w.e.f. 3-8-74.

S. No.	Name	Designation	Place
1	2	3	4
1.	Suryakand Kouleker	Clerk	Sancordem mine.
2.	Exaltagoo Viegas	"	"
3.	S.G. Arvendel.er	"	"
4.	S.V. Gaunker	"	"
5.	Srikant S. Naik	"	"
6.	B.R. Kapre	M/Mate	"
7.	D.D. Khandolker	"	"
8.	K.G. Naik	Peon	"
9.	Morto Ram Naik	Driver-A	"
10.	Surya R. Naik	Driver-B	"
11.	R.S. Bandodker	Cleaner-B	"
12.	R.Y. Naik	"	"

List of staff under lay-off w.e.f. 1-8-1974.

1.	Manohar Naik	Mate	Margaticho Sode mine.
2.	Shanker Gaonker	peon	Villiena Mine
3.	Manohar Navelker	Driver	Nanora mine
4.	Dinker Khodker	clerk	Digashi office.
5.	Manuel Pinto	"	"
6.	Madhuker Anant Sawant.	Supervisor	Riverside plot.
7.	Purshotam Modikolker.	Blaster	Singal mine.
8.	Bhima P. Naik	from 1st July, 1974 operator	compressor
9.	Dand Suleman.	Plant operator	Barzan mine.

(No. L-26011/16/74-LR. IV)

प्रादेश

नई दिल्ली, 15 नवम्बर, 1974

का० प्रा० 3448—यतः केन्द्रीय सरकार की राय है कि इससे उपाध्द अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स डालमिया इण्टरनेशनल होमपेट की बी०आर०एच० लौह प्रयस्क खान से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रवक्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री एम०सी० कोन्नुर होंगे, जिनका मुख्यालय बंगलौर में होगा और उक्त विवाद को उक्त औद्योगिक अधिकरण को न्याय निर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या मैसर्स डालमिया इण्टरनेशनल होमपेट की बी०आर०एच० लौह प्रयस्क खान के प्रबन्धतंत्र की, श्री एम० युसुफ चालक को भवचार के लिए 30 मार्च, 1974 से पदच्युत करने की कार्यवाही न्यायोचित है? यदि नहीं, तो श्री युसुफ किस अनुसूची के हकदार हैं?

[सं० एन०-26012/4/74-एल० आर०-4]

ORDER

New Delhi, the 15th November, 1974

S.O. 3448.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of B.R.H. Iron Ore Mines of Messrs. Dalmia International, Hospet and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Shri M. C. Konnur as Presiding Officer with headquarters at Bangalore and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

Whether the action of the Management of B.R.H. Iron Ore Mines of Messrs Dalmia International, Hospet, in dismissing Shri M. Yusuff, driver from service with effect from thirtieth day of March, 1974 for misconduct, is justified? If not, to what relief is Shri Yusuff entitled?

[No. L-26012/4/74-LR-IV]

प्रादेश

नई दिल्ली, 21 नवम्बर, 1974

का० प्रा० 3449.—यतः केन्द्रीय सरकार की राय है कि इससे उपाध्द अनुसूची में विनिर्दिष्ट विषयों के बारे में डालमियाबाद बैंक कलकत्ता के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रवक्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम की धारा 7क के अधीन गठित औद्योगिक अधिकरण कलकत्ता को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

(1) क्या सर्वश्री जादू पोलाई, के० प्रपू, साधू नाइक, ध्रुव चरन पुस्ती, मुरलीधर प्रधान, बाभन देव नाइक और नलिनी रंजन बरबा की

विद्यमान मजदूरी, उपरिमुखी पुनरीक्षण करने योग्य है। यदि हाँ, तो किस तारीख से और किस दर पर?

(2) क्या उक्त सम्बद्ध कर्मकार भविष्य निधि के लाभ के हकदार हैं? यदि ऐसा है, तो किस तारीख से और किस दर पर?

[सं० एल०-12012/50/74-एल०आर० III]

ORDER

New Delhi, the 21st November, 1974

S.O. 3449.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Allahabad Bank, Calcutta and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Calcutta constituted under section 7A of the said Act.

SCHEDULE

- (1) Whether the existing wages of Sarvashri Jadu Polai, K. Appu, Sadhu Naik, Dhubo Charan Pusti, Murlidhar Pradan, Bamandeve Naik and Nalini Ranjan Barua deserve upward revision? If so, from what date and with what details?
- (2) Whether the above workmen concerned are entitled for the benefit of provident fund? If so, from what date and at what rate?

[No. L 12012/50/74-LR.III]

आदेश

नई दिल्ली, 25 नवम्बर, 1974

का० आ० 3450.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में ओरियन्टल बैंक आफ कामर्स से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण दिल्ली को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या ओरियन्टल बैंक आफ कामर्स के प्रबन्धतंत्र की उस समय के विशेष सहायक श्री बी०पी० जैन को "साहित्य रत्न" परीक्षा उत्तीर्ण करने के मध्ये, 1970 से दो बेतन वृद्धियां अनुवृत्त न करने की कार्यवाही न्यायोचित है? यदि नहीं, तो वह किस अनुसोष का हकदार है?

[सं० एल०-12012/110/74-एल०आर० III]

ORDER

New Delhi, the 25th November, 1974

S.O. 3450.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers

in relation to the Oriental Bank of Commerce Limited, and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Delhi, constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of Oriental Bank of Commerce Limited in not granting two increments to Shri B. P. Jain, the then Special Assistant with effect from 1970 on account of his passing "Sahitaya Ratna" examination is justified? If not, to what relief is he entitled?

[No. L-12012/110/74-LR.III]

आदेश

का० आ० 3451.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में सेण्ट्रल बैंक आफ इंडिया से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा एक औद्योगिक अधिकरण गठित करती है, जिसके पीठासीन अधिकारी श्री एच० आर० सोंधी होंगे जिनका मुख्यालय चण्डीगढ़ में होगा और उक्त विवाद को उक्त औद्योगिक अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या सेण्ट्रल बैंक आफ इंडिया, प्रांचलिक कार्यालय, चण्डीगढ़ के प्रबन्ध तंत्र का, रोहतक की सिविल लाइन शाखा के लिपिक एवं-टंकक श्री आर० एन० आहुजा को प्रोन्नति के अवसर देने से इनकार करना न्यायोचित है? यदि नहीं, तो वह किस अनुसोष का हकदार है?

[सं० एल०-12012/74/74-एल०आर० III]

ORDER

S.O. 3451.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Central Bank of India and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri H. R. Sondhi shall be the Presiding Officer with headquarters at Chandigarh and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Is the management of the Central Bank of India, Zonal Office, Chandigarh justified in denying promotional opportunities or officiating chances to Shri R. N. Ahuja, Clerk-cum-Typist of Civil Lines Branch, Rohtak? If not, to what relief is he entitled?

[No. L-12012/74/74-LR. III]

सादेन

नई दिल्ली 16 नवम्बर 1974

का० प्रा 3452—यन कन्द्रीय सरकार की राय है कि रमप उाषड अनुसूची में विनिर्दिष्ट विषयों के बारे में पत्राव नगनन वें स सम्बद्ध नियोजन और उनका कामकाज के साथ पर औद्योगिक विवाद विद्यमान है

और यन कन्द्रीय सरकार उन विवाद को वायनिर्णयन के लिए निर्दिष्ट करना राष्ट्रीय समझौते है,

अन शत्र औद्योगिक विवाद अधिनियम 1947 (1947 का 14), की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रबल शक्ति का प्रयोग करने पर कन्द्रीय सरकार उन विवाद को उन अधिनियम की धारा 7-क के अधीन गठित कन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर को वायनिर्णयन के लिए निर्दिष्ट करती है।

अनुसूची

यथा पत्राव नगनन वें कन्द्रीय सचिव इन्दौर के प्रबधतत्र की जबलपुर शाखा के लिपि एवं कैशियर एवं गोशम रक्षक श्री के० एन० गौतम की 24 जून 1970 में समाण समाप्त करने की कार्यवाई न्यायचित है यदि नही तो वह किस अनुपात का हकदार है?

[सं० एन 1201/56/72 एन० प्रार० III]

प्रार० कुजीधायदम अवरमसिध

ORDI R

New Delhi the 26th November, 1974

S.O. 3452—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Punjab National Bank and their workmen in respect of the matter specified in the Schedule hereto annexed,

And whereas the Central Government considers it desirable to refer the said dispute for adjudication,

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Jabalpur constituted under section 7A of the said Act

SCHEDULE

Whether the action of the management of Punjab National Bank Central Circle, Indore in dismissing Shri K. I. Gautam Clerk cum-Cashier cum Godownkeeper at Jodhpur branch from the 24th June, 1970 is justified? If not, to what relief is he entitled?

[No. 1 12012/56/72/I R III]

New Delhi the 11th December, 1974

S.O. 3453.—In pursuance of section 17 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal 116 GI/74—8

bunal, Bombay in the industrial dispute between the employers in relation to the Western Railway and their workmen, which was received by the Central Government on the 5th December 1974

BHF-ORL THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

Reference No. CGIT 8 of 1972

PARTIES

Employers in relation to the Western Railway

AND

Their workmen

APPEARANCES

For the employers—Shri M. P. Pal, Advocate

For the workmen—Shri S. M. Dharap, Advocate

State Rajasthan

Industry Railways

Bombay dated 31st October, 1974

AWARD

The Government of India, Ministry of Labour and Rehabilitation Department of Labour and Employment have by their Order No. L 41012/32/72/LRII dated 2nd December, 1972 made in exercise of the powers conferred by sub-section (1) of section 10 of the Industrial Disputes Act 1947 referred to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the Western Railway and their workmen in respect of the matters specified in the following schedule—

SCHEDULE

Whether the action of the management of Western Railway in dismissing Shri Abdul Rahim, Telegraph Peon, Western Railway, Kota was legal and justified? If not, to what relief is the workman entitled?

2 After the receipt of the reference, notices were issued to the parties for filing their respective statements and the Divisional Secretary of the Paschim Railway Karamchari Parishad filed the statement of claim on behalf of the workman. He has submitted that the workman was a confirmed telegraph peon getting a salary of Rs 81/- with Rs 71 as dearness allowance and dearness pay together with Rs 750 as house rent allowance, that railway quarter No. T 485/D was allotted to one Shri Abdul Wahid on 21-7-67 vide Station Master, Kota's No. S 131 quarter dated 21-7-67, that the main allottee Shri Abdul Wahid and the workman Shri Abdul Rahim moved a joint application to Station Master Kota for allowing them joint occupation of the said quarter and the allottee Shri Abdul Wahid permitted the workman to live as such in the said quarter and the railway administration had no objection to such a course. It is contended that Shri Abdul Wahid the main allottee was encouraged with selfish ulterior motives to entangle the workman under slings of rules to throw him out of the quarter for facilitating him to get more illegal rent from other employees. It is contended by the employee that whereas the case made out by the railways is about unauthorized occupation of the railway quarter the actual case is sharing of joint occupation of the said railway quarter. However, D.A.R. enquiry was started against the workman and the same was also finalised in the absence of the workman and his defence counsel as well as on the basis of the faulty enquiry and perverse findings of the Traffic Inspector, Gangapur City imposing the drastic penalty of removal from service which tantamounts to denial of reasonable opportunity and non-observance of principles of natural justice on discriminatory considerations. A

strike notice was served on the railways and the Assistant Labour Commissioner (C) Kotah entered into conciliation of the Dispute. The conciliation however ended in failure and the dispute was referred for adjudication to this Tribunal. It is contended that the charge-sheet issued to the workman was without jurisdiction as his omission and commission did not constitute misconduct under the relevant rules governing allotment and sharing of railway quarter. It is submitted that the real culprit in this case was Shri Abdul Wahid whom the railway administration had allotted a quarter and who was actually required to obtain prior permission for sharing accommodation allotted to him by the railway administration. Since he has not been even questioned by the railway administration for his default a discrimination of the highest order has been shown against Shri Abdul Rahim and consequently the action of the railway administration was discrimination and mala fide. It is stated that the enquiry officer and traffic inspector had concluded the enquiry *ex parte* even in spite of the facts brought out by the Defence Counsel vide his letter dated 10-5-1969 which goes to prove that the enquiry officer had a prejudicial intention and was adamant to deny all reasonable opportunities as per law with a view to effect the deterrent punishment of removal from service without observing the pros and cons of the Disciplinary and Appeal Rules. It is therefore stated that the enquiry stands vitiated as a reasonable opportunity has been denied to the workman and the principles of natural justice have not been followed. The findings were drawn prejudicially *ex parte* in the absence of the defence counsel and the workman keeping in view communal feelings. In these circumstances it is submitted that it may be declared and held that the removal of Shri Abdul Rahim was bad in law and amounted to victimisation of the poor workman. It is therefore prayed that the wrongful termination may be set aside and directions may be issued to the opposite party to reinstate Shri Abdul Rahim with back wages and benefits accrued to him along with other benefits and compensation for mental unrest. Along with the statement of claim a list of documents and list of witnesses have been appended.

3. The General Manager, Western Railway has by his written statement stated that Shri Abdul Wahid and Abdul Rahim made a joint application to the Station Master, Kota for allowing them joint occupation of the above quarter which was allotted in favour of Shri Abdul Wahid. Although the joint application was submitted to the Station Master it is contended that the Station Master did not permit them for such a joint occupation of the said quarter nor had he any authority to grant such permission. Therefore the Station Master Kota forwarded the said application to the competent authority for granting the sanction for joint occupation. It is submitted that Shri Abdul Wahid who was the lawful allottee of the quarter made complaints that he does not desire to allow Shri A. Rahim to occupy the quarter jointly with him; that he (Abdul Wahid) had complained that Abdul Rahim did not allow him to use and occupy fully the quarter which was lawfully allotted in his favour and that Abdul Rahim under false representation obtained the signature of Abdul Wahid on the said joint application for joint occupation of the quarter. It is further submitted that on investigations made by the railways it was revealed that Shri Abdul Rahim was occupying the quarter and was preventing Abdul Wahid from using the said quarter which was lawfully allotted to him. It is further submitted that the railway administration decided to issue notice to Shri Abdul Rahim and make him vacate the quarter which he was unlawfully occupying. Since he refused to vacate disciplinary proceedings were initiated against Shri Abdul Rahim, and a charge-sheet containing three allegations was issued to him viz;

- (i) unauthorized occupation of quarter which was never allotted to him;
- (ii) that he was issued notice to vacate the said quarter but the same was not vacated by him in spite of the notice;
- (iii) that he was in unauthorized occupation of the said quarter and his continued occupation was itself a misconduct and refusal to vacate the quarter though called upon amounted to disobedience of the lawful orders of the superiors.

4. The enquiry officer held an enquiry against Shri Abdul Rahim on these allegations and according to the employers the delinquent workman was given every opportunity and facility to defend himself. The enquiry officer came to the conclusion that the employee was guilty of the charges levelled against him and recommended that the proper penalty should be removal from service. The workman was issued with a second show-cause notice to which he submitted his explanation and the competent authority after considering the explanation and findings of the enquiry officer came to the conclusion that he should be removed from service for the misconduct committed by him and accordingly the workman was removed from service on 19-9-1969. Thereafter the workman filed an appeal as also a mercy petition both of which were considered and the punishment of removal from service inflicted upon him was confirmed. It is contended that the enquiry officer and the appellate authority observed all the principles of natural justice and the enquiry was bona fide and no evidence was shut out in any such proceedings, and the allegations made in this behalf by the workman are denied. The allegations of discrimination made by the workman are also denied. In conclusion it is submitted that proper discipline has to be maintained and the punishment imposed upon the workman is adequate and justified considering all the acts of indiscipline and insubordination committed by him.

5. Exhibits E-1 to E-46 were filed on behalf of the employers and exhibits W-1 to W-6 were filed on behalf of the workman.

6. The workman has examined himself before this Tribunal. He has stated in examination in chief that he worked in the railways for 20 years and was dismissed 3 or 4 years ago. He was originally appointed as a lampman and posted at Shamgarh and after 9 months transferred to Kotah. At first he worked as waterman at Kotah and later he was asked to work as a telegraph peon. He applied for allotment of railway quarters at Kotah and the Station Master, Kotah had told him that he would be allotted a quarter when his number came. He has stated that he knew Abdul Wahid another railway employee and during their talks Abdul Wahid had informed him that he was in occupation of a quarter and that if I so desired I could stay with him in one half of his quarter and accordingly they applied for joint occupation of the quarter. The witness produced an application exhibit W-1 dated 8-3-1968 which is jointly signed by Abdul Wahid and himself requesting for joint occupation. 15 days after the submission of the application the workman occupied the quarter. Shri Abdul Wahid continued to stay there and he had never told him to vacate the quarter nor was he told that he had filed a complaint against him. Thereafter he was charge-sheeted and the enquiry officer who was a Traffic Inspector did not tell him what the charges were and he was an illiterate man. He had informed the enquiry officer that he wanted to lead oral evidence through some witnesses to which the Enquiry Officer had said that he would see to it later on. But he was not asked to produce any witnesses. Shri S. M. Goyal who was the workman's defence counsel was not always in a position to attend the enquiry proceedings and although the workman had requested him to postpone the enquiry on such occasions the enquiry officer did not accede to his request and the enquiry proceeded in the absence of the defence counsel. The workman was unaware of what transpired at the enquiry when his defence counsel was absent. His claim is for reinstatement as he has been unemployed since the date of his removal from service and he and his family members were dependent on his brother. In his cross-examination he has corroborated the statements made by him in examination-in-chief. He has further stated that the joint application was given to the D. O. S. Kotah through the S. M. and although the S. M. had and he never enquired from Shri Abdul Wahid as to why this trouble had been created.

7. Briefly stated, the facts in this case are that a preliminary enquiry was conducted by Shri L. A. Bhatnagar, A.C.S/2 Kotah for authorised occupation of the railway quarters and for his refusal to vacate the quarter despite his office letter dated 20-8-1968. Accordingly on 13-2-1969 a memorandum of charges was framed against the workman, Abdul Rahim and he was informed that he was in unauthorized occupation of quarter No. 485/T/D which was never allotted to him and that he was also issued a notice to

vacate the said quarter but had not vacated it so far and that his unauthorized occupation without allotment tantamounts to serious misconduct and non-vacation of the same despite notice tantamounts to disobedience of orders.

8. By order dated 6-3-1969 Shri Prahlad Rai Sharma, TI/GGC was appointed enquiry officer to enquire into the charges framed against Abdul Rahim. On 12-3-1969 a notice was issued by the enquiry officer to the workman in which he was asked to be present in person and submit a list of his witnesses who he desired to bring at the enquiry. On 26-3-1969 the applicant informed the enquiry officer that Shri S. M. Goyal, Senior Clerk of the Divisional Accounts Office, Kotah will be his defence counsel at the enquiry. On 12-4-1969 the charges were read over and explained to the delinquent workman Abdul Rahim and he denied the charges. On the same day the enquiry officer examined Abdul Wahid and the enquiry was posted to 19-4-1969. On 19-4-1969 the applicant filed an application that since Shri S. N. Goyal, Senior Clerk, DAO/KTT and defence counsel and Shri M. T. Chawarekar, Senior Clerk were not informed of the date of enquiry they have not attended the same and therefore the workman requested the enquiry officer to fix another date of hearing. There is a joint note of that day dated 19-4-1969 signed by the enquiry officer and Shri Kulshrestha, Clerk D.S.'s office and C.P. Saxena, H.C. D.S.'s office to the effect that since Shri Abdul Rahim, Telegraph Peon who was sent to call for his defence counsel at 11-15 hours has not turned up so far the enquiry is postponed till further. In the letter of Shri Abdul Rahim dated 19-4-1969 it was also mentioned that it was not possible for him to give another name at present and it was also not possible to go under enquiry without defence counsel and on 9-5-1969 Shri Vikramjit Singh and Shri V. V. Kulshrestha clerk were examined. On 10-5-1969 Shri Goyal Defence Counsel informed the enquiry officer that due to some unavoidable circumstances he was unable to attend the enquiry on that day at 8 a.m. and wanted another suitable date, till such time Shri C. P. Saxena will also be available. The enquiry officer refused to adjourn the enquiry and noted that since he was camping there since yesterday only for enquiry and no other reason the letter was returned per bearer Shri Abdul Rahim and he was advised to arrange attendance of Shri S. N. Goyal or attend enquiry without defence counsel failing which proceedings would continue ex-parte. Shri Goyal then addressed a letter to the enquiry officer that he has seen the remarks on the letter sent by him and the enquiry could not continue in his absence and his pressing the workman was quite irregular and requested the enquiry officer to arrange some other date so as C. P. Saxena could also attend the same and he is the main figure to throw light on the subject.

9. The findings were drawn ex-parte by the enquiry officer and he held the charges against him proved. On this the disciplinary authority issued a show cause notice on 11-7-1969 as to why he should not be removed from service. The findings of the enquiry officer was enclosed with this notice. The applicant submitted an application to AOS KTT on 24-7-1969 stating that the enquiry was not properly conducted by the enquiry officer and no reasonable opportunity was afforded to him for defending himself against the charges. The disciplinary authority recorded the statement of the applicant and in between examined Shri Saxena and Abdul Wahid and passed an order on 17-9-1969 imposing on him the extreme penalty of removal from service of the workman and ordered issue of necessary notice. On 16-9-1969 notice of removal from service was issued to the workman removing him from service.

10. The question to be answered in this reference is whether the dismissal of the workman was legal and justified.

11. It is now well settled by various decisions that if an industrial employee's services are terminated after a proper domestic enquiry held in accordance with the principles of natural justice and the conclusions reached at the enquiry are not perverse, the industrial tribunal is not entitled to consider the propriety or the correctness of the said conclusions. But the said decisions do not mean that the mere form of an enquiry would satisfy the requirements of industrial law and would protect the disciplinary action taken by the employer from challenge. An enquiry cannot be said to have been properly held unless.

- (i) the employee proceeded against has been informed clearly of charges levelled against him,
- (ii) the witnesses are examined—ordinarily in the presence of the employee in respect of the charges,
- (iii) the employee is given a fair opportunity to cross-examine witnesses,
- (iv) he is given a fair opportunity to examine witnesses including himself in his defence if he so wishes on any relevant matter, and
- (v) the enquiry officer records his findings with reasons for the same in his report.

Where the enquiring officer based his conclusions against the concerned workman on the report given by other employees behind the back of the concerned workman without giving copies of such report to him and without making them available for cross-examination at the enquiry, the enquiry must be held unfair. I am supported in my view by the ruling reported in 1963 II L.J. 369. It is no longer open to controversy that after the introduction of section 11A in the I.D. Act it is open to this Tribunal to interfere with the order of dismissal passed by the employer when the findings arrived at the enquiry are perverse or the management is guilty of victimization, unfair labour practice or falafide. It is also open to the Tribunal to interfere if the punishment imposed is harsh so as to suggest victimization. The Tribunal has therefore to be satisfied that the order of discharge or dismissal was justified. I am supported in my view by the observations of the Supreme Court in the ruling reported in 1973 II L.J. 278.

12. Bearing in mind the above decision of the Supreme Court, I have to approach to the decision of the case. The Tribunal has to see whether the dismissal of the workman on the ground of alleged misconduct was justified. After having gone through the entire material on record, I am compelled to say that this enquiry can legitimately be described as a symposium of all the irregularities and illegalities that can be thought of in connection with a domestic enquiry. The enquiry officer has not at all adhered to the provisions embodied in the Railway Servants (Discipline & Appeal) Rules, 1968. After examining the three witnesses on behalf of the employers Sarvashri Vikramajitsingh, Kulshrestha and Abdul Wahid he should have afforded an opportunity to the delinquent workman to lead his evidence, which is not done. When an application for adjournment was given to him on 10-5-1969 on behalf of the defence counsel Shri Goyal the enquiry officer should have adjourned the enquiry instead of insisting on the applicant to arrange for the attendance of Shri Goyal especially when Shri Goyal after he was intimated of the refusal had again addressed an application to him to adjourn the hearing so as to enable Shri Saxena also to attend the same. Instead of adjourning the enquiry the enquiry officer draw up his findings ex parte on 8-7-1969. It clearly appears that the workman was present on 10-5-1969 as the letter of Shri Goyal on that day was returned through him. Shri Abdul Rahim was present before the enquiry officer on 9-5-1969. According to Rule 9(15) of the Railway Servants (Discipline and Appeal) Rules, 1968, the inquiring authority may after the railway servant closes his case and shall if the railway servant has not examined himself generally question him on the circumstances appearing against him in the evidence for the purpose of enabling the railway servant to explain any circumstances appearing in the evidence against him. In this case after the witnesses Abdul Wahid, Vikramajit Singh and Kulshrestha were examined it was incumbent on the enquiry officer to have questioned Shri Abdul Rahim as to the circumstances appearing against him in the evidence of the above persons to enable Abdul Rahim to explain the circumstances appearing against him especially as Shri Abdul Rahim had not examined himself. But no such thing was done. On the application dated 24-7-1969 by the workman the disciplinary authority again examined Abdul Rahim, Saxena and Abdul Wahid Rule 10 of the rules provides that if the disciplinary authority having regard to its own findings where it is itself the inquiring authority or having regard to its decision on all or any of the findings of the inquiring authority is of the opinion that the penalty warranted is such as is within the competence that authority may act on the evidence on record or may if it is of opinion that further examination or any of the witnesses is necessary in the

interest of justice recall the witness and examine-cross-examine and re-examine the witness and may impose on the railway servant such penalty as is within its competence in accordance with these rules. Where such disciplinary authority is of the opinion that the penalty warranted is such as is not within its competence that authority shall forward the records of the enquiry to the appropriate disciplinary authority who shall act in the manner as hereinafter provided:

The disciplinary authority, if it is not itself the inquiring authority may for reasons to be recorded by it in writing remit the case to the inquiring authority for further enquiry and report and the inquiring authority shall there upon proceed to hold further enquiry according to the provisions of Rule 9 as far as may be.

The disciplinary authority shall, if it disagrees with the findings of the inquiring authority on any article of charge record its reasons for such disagreement and record its own findings on such charge if the evidence on record is sufficient for the purpose.

- (4) If the disciplinary authority having regard to its findings on all or any of the articles of charge is of the opinion that any of the penalties specified in clauses (i) to (iv) of Sub-rule (1) and clauses (i) and (ii) of Sub-rule (2) of Rule 6 should be imposed on the railway servant, it shall, notwithstanding anything contained in Rule 11, make an order imposing such penalty:

Provided that in every case where it is necessary to consult the Commission the record of the inquiry shall be forwarded by the disciplinary authority to the Commission for its advice and such advice shall be taken into consideration before making any order imposing any penalty on the railway servant.

13. The disciplinary authority is therefore empowered under rule 10 to further examine any of the witnesses in the interest of justice recall the witnesses and examine, cross-examine and re-examine and may impose on the railway servant such penalty as is within its competence in accordance with these rules. Rule 10 did not empower the disciplinary authority to examine Abdul Rahim. The disciplinary authority if he was not prone to accept the findings of the enquiry officer and felt that the interests of justice demanded that further examination of the witness was necessary should have recalled Abdul Wahid, and other witnesses but he had no authority to examine Abdul Rahim. It was for Abdul Rahim to have examined himself and if he failed to do so the disciplinary authority should have never questioned him on the circumstances appearing against him. In the examination of Abdul Rahim Searching questions were put to him. It was after Abdul Rahim was examined that Shri Saxena and Abdul Wahid were examined by the disciplinary authority which is a wholly irregular procedure. This is not the only irregularity committed by the disciplinary authority. The disciplinary authority has completely overlooked sub-rule (5) of Rule 10 which provides;

- 5(i) If the disciplinary authority having regard to its findings on all or any of the articles of charge is of the opinion that any of the penalties specified in clauses (v) to (ix) of Sub-rule (1) of Rule 6 should be imposed on the railway servant it shall—

- (a) furnish to the railway servant a copy of the report of the enquiry held by it and its findings on each article of charge, or where the inquiry has been held by an inquiring authority appointed by it a copy of the report of such authority and a statement of its findings on each article of charge together with brief reasons for its disagreement, if any, with the findings of the inquiring authority,

- (b) give the railway servant a notice stating the penalty proposed to be imposed on him and calling upon him to submit within a specified time, ordinarily not exceeding fifteen days from the date of the receipt of the notice subject to a minimum of seven days, such representation as he may wish to make on the proposed penalty on the basis of the evidence adduced during the inquiry held under Rule 9

No copy of the report and his findings were furnished to Shri Abdul Rahim. No notice was also given to Shri Abdul Rahim stating the penalty proposed to be imposed upon him and calling upon him to submit within a specified time ordinarily not exceeding 15 days from the date of the receipt of the notice subject to a minimum of seven days asking him to make such representation as he wish to make on the proposed penalty on the basis of the evidence adduced during the enquiry is yet another Rule 9.

14. There is yet another interesting and amusing aspect of the enquiry which renders the entire enquiry to be a farce. The enquiry officer had given his findings on 17-9-1969 and by his order imposed the extreme penalty of removal from service. But curiously enough on 16-6-1969 a notice was issued to Abdul Rahim removing him from service with immediate effect which is a day earlier than the removal order passed by the enquiry officer. This clearly manifests that the disciplinary authority had made up his mind on 16-9-1969 to remove the workman from service and the order dated 17-9-1969 was an afterthought subsequently brought into existence in order to justify the order of removal dated 16-9-1969. The entire enquiry is therefore vitiated and the order of removal on this score alone cannot be sustained.

15. There is another lacuna to be found in the entire proceedings. The recital of the charges is hopelessly vague. It is not indicated in the charge as to from what date the applicant was in unauthorized occupation of the railway quarters and what was the misconduct of the applicant. The absence of these particulars to my mind sufficiently prejudiced the applicant in putting forward his case.

16. A close scrutiny of the material on record fully convinces me that there was not any serious misconduct on the part of the workman justifying his removal from service. The workman clearly appears to have made a victim and the real mischief appears to have been committed by Shri Abdul Wahid who surprisingly enough has been exonerated and has not been charge-sheeted. Shri Abdul Rahim was made a scapegoat and made a victim of disciplinary enquiry. This is not mere conjecture on my part but there is sufficient material to justify my conclusions. It clearly emerges from the evidence of Vikramajitsingh recorded by the enquiry officer that quarter No. T/485 D type was allotted to Shri Abdul Wahid on 20-6-1967. It is also stated by the witness that on 21-7-1967 letter S3/quarter was addressed to D.S. (E) DPO (PB) KTT C/(IOW)(I) and A-F-KIT copy of which was endorsed to Shri A. Wahid. It clearly emerges from the evidence of Shri Vikramajitsingh that as per the register Shri Pannalal and Shri Abdul Wahid both applied for the quarter on 19-4-1966 at register No. 9 and 10 respectively and they exchanged their turns. It is admitted by Abdul Wahid that he got his name registered on oral request to the Head Clerk or CC and he does not remember whether he had given a written application. It was deposited by Kulshreshtha before the enquiry officer that Qr No. T/485/D type I was allotted to Shri Abdul Wahid P/Man KTT on 26-6-1967 vide S.M. KITT letter No. S/3/Quis dated 27-7-68 at CP/178 (on the No. E/T/58/2/1KTT). It does not stand to reason that when Shri Abdul Wahid had applied for registration of the quarter on 19-4-1966 he would not have made enquiries as to the allotment of the quarters to him. It is difficult to believe his uncorroborated evidence that only when deductions were made he enquired of Saxena at the time of receiving payment and that he was told by Saxena that the deductions may be of some arrears in 1961-62. Shri Abdul Wahid says in his evidence before the disciplinary authority that he does not know exactly when deductions were made from salary but he presumes that when these deductions were made he must have come to know these deductions soon after and he states that he continued to enquire from Saxena as to the reasons for deductions from his salary and he continued to give him some reply which silenced him. Later when he made enquiries from Vikramajitsingh as to why the deductions were being made from his salary to said that the deductions were being made for electric installation charges and that he was not getting house allowance. No such story was narrated by Shri Abdul Wahid before the enquiry officer. Vikramajitsingh had not stated a word in his evidence about this aspect of the matter that Shri Abdul Wahid had approached him and enquired about the deductions that were made from his salary. No attempt was made by the disciplinary authority to elicit these fact from C.P. Saxena. It is difficult to

believe the version of Shri Abdul Wahid that he was unaware of the allotment and that he was not in joint occupation of the premises along with Shri Abdul Rahim. Shri Abdul Rahim had given an application exhibit W-1 addressed to the D.O.S. (E) through the Station Master, Kotah requesting that he wants to have a joint occupation with Shri Abdul Wahid who was willing to accommodate him with the permission of the D.O.S. Shri Abdul Wahid had endorsed on this application that he was willing to accommodate Shri Abdul Rahim with him in his quarter. There is an endorsement of the receipt of this application by the S.M. on 8-3-1968. The Station Master had made an endorsement forwarding the application that he has no objection if permission is granted for joint occupation. According to the statement of Shri C. P. Saxena Abdul Rahim gave his application for joint occupation on 8-3-1968. Shri Saxena says that this application was forwarded to AOS(E) KTT, and this application is in his office file No. S. 3/Qt. Shri Saxena in his evidence says that there was no covering letter to the application and it was sent by making endorsement on the original application. Shri Vikramajitsingh before the enquiry officer had stated that the original application received on 8-3-1968 by Shri C. P. Saxena was available on the file of SM/KTT with an endorsement for forwarding the same with no objection and signed by SM/LTIT on 9-4-1968 but not sent to D.S.'s office as the original is still available on the file of SM/KTTT. Abdul Wahid in his evidence before the enquiry officer has admitted that the application bears his signature but he says that it was not signed by him by Shri Abdul Rahim when he was working in the yard. He was told that the application was sent by CC for signature and it was in connection with some case of quarter and hence he signed it under a wrong impression given to him. But contrary is the statement of Abdul Wahid before the disciplinary authority. There he stated that he never occupied Quarter No. T/485 D. One day when he was working in DN yard as pointsman Shri Abdul Rahim came in the yard with a register and an application written in English and told him that Shri Saxena, Head Clerk had sent him with this paper which was a report against him from D. S. office Saxena had asked him to sign that report. Accordingly he signed it thinking that it was a report from D.S.'s office. These contradictory statements of Abdul Wahid clearly betray that he had signed the application knowing full well its contents and he is now giving varying statements in order to show that he had not signed the application for joint occupation. Exhibit E-4 also shows that Shri Abdul Wahid was in joint occupation along with Shri Abdul Rahim. The letter exhibit E-4 is written by S.M. Kotah to Abdul Rahim dated 23-8-1968 in which notice is given to Abdul Rahim to vacate the quarter within 7 days as Shri Abdul Wahid does want joint occupation to continue failing which DAR action will be taken against him as per A.C.S KTT's letter. This letter clearly proves the joint occupation of Abdul Rahim with Abdul Wahid. It is only belatedly on 26-6-1968 that he makes mention of the fact that he had permitted Abdul Rahim to occupy the the quarters for three or four months as Abdul Rahim had requested him to permit him to stay in the railway quarters for some time and that he will take a house on rent and requested in exhibit E-17 the railway authorities to get the quarter vacated by Shri Abdul Rahim. It does not stand to reason that Shri Abdul Wahid would have signed the application without being aware of its contents. The explanation given by him for signing the application is found to be false. The conclusion is irresistible that Abdul Wahid had permitted Abdul Rahim to jointly occupy the premises with him. It is true that Abdul Wahid could not have jointly occupied the premises with Abdul Rahim without obtaining the sanction of the D.S. But then it was for the S. M. Kotah to whom the joint application was given to have forwarded it to the said authority. If he failed to do so the fault does not lie at the door of the illiterate workman Abdul Rahim who assumed that permission will be granted to him by the D. S. especially as the S. M. Kotah had no objection to joint occupation and an endorsement to that effect was made by him in the application. It did not lie in the mouth of Saxena in the face of the endorsement to say that he did not permit Abdul Rahim to jointly occupy the railway quarters along with Abdul Wahid. According to Kulshreshtha whose evidence was recorded by the enquiry officer Abdul Rahim had sent an application for allotment on 27-7-1968, 30-8-1968 and 11-10-1968 and from the application it appears that he had applied for allotment of quarters on 25-10-1958, 29-6-1959, 17-11-1959, 7-3-1960, 22-8-60, 21-1-1961,

24-9-1961 and the last one was submitted on 6-1-1967. Shri Kulshreshtha also submitted that as per S.M.'s letter No. 53/Qt. dated 13-12-1968 on file No. 1 F/58/2(KTT) the name of Abdul Rahim was registered for allotment on 6-1-1967. This shows that Shri Abdul Rahim was all along making efforts to secure the allotment of railway quarters. There is no doubt in my mind that Shri Abdul Wahid had permitted Shri Abdul Rahim to jointly occupy the railway quarters along with him from 6-3-1968 and it was a belated attempt on the part of Abdul Wahid to show that Abdul Rahim had taken the railway quarters to reside there for some time and later was not vacating the premises. It is true that Shri Abdul Rahim should have vacated the premises when asked for by the railway authorities but it cannot be said that he was in unauthorized occupation since the original allottee Abdul Wahid had permitted him to jointly occupy the quarters which fact was known to the S. M. Kotah and who had remitted them to jointly occupy the premises. I therefore feel that there was no serious misconduct in these circumstances to warrant his removal from service. This apart, I have held that the whole enquiry was not conducted in consonance with the rules and the principles of natural justice were freely violated in this case which renders the enquiry illegal and the order of removal illegal and unjustified.

17. Another factor has to be taken to be taken into account which also introduces a serious infirmity in enquiry conducted by the disciplinary authority is the punishment imposed by the enquiry officer. The punishment imposed is disproportionate to the alleged misconduct of unauthorized occupation of the premises. Action could have been taken against the workman by resorting to the Public Premises Eviction Act instead of imposing the penalty of removal from service which indicates the partiality of the disciplinary authority towards the workman. Viewed in any context the removal from service of the workman by the disciplinary authority is illegal and cannot be justified.

18. Now the question arises as to what relief the workman is entitled. As the enquiry is held to be illegal and void there is no other alternative but to direct the reinstatement of the workman. I therefore direct that the workman Abdul Rahim, Telegraph Peon will be reinstated in service to his former post with all back wages from the date of his suspension with continuity of service.

The reference is answered accordingly.

B. RAMI AL KISHEN, Presiding Officer.

[No 1 41012/32/72/LRIII]

New Delhi, the 16th December, 1974

S.O. 3454.— In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal Dibrugarh, in the industrial dispute between the employers in relation to the management of Assam Oil Company Limited, Dibrugarh and their workmen, which was received by the Central Government on the 6th December, 1974.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASSAM AT DIBRUGARH

PRESENT:

Shri G. N. Borah, M.A., LL.B., Barrister-at-law Presiding Officer, Central Govt. Industrial Tribunal, Assam, Dibrugarh.

In the matter of an industrial dispute between
The Management of Messers. Assam Oil Company Ltd.,
Digboi

AND

Their workmen represented by Assam Oil Company
labour Union, Digboi.

REFERENCE No CENTL. 23 OF 1970

AWARD

By order No 7(3)/70-IR-IV dated 16th. October, 1970
the Central Government in the Ministry of Labour and Rehabilitation (Department of labour and Employment) in exer-

cise of the powers conferred by Clause (d) of Sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred to this Tribunal for adjudication an industrial dispute existing between the management of Assam Oil Company Ltd., Dighoi, and their workmen represented by Assam Oil Company labour Union, Dighoi, in respect of the matter specified in the Schedule mentioned below:—

SCHEDULE

"Whether the management of Messrs Assam Oil Company Limited, Dighoi, is justified in discharging Sri Habib Ali, Registered No. 30879, with effect from the 2nd December, 1961, from employment? If not, to what relief Sri Ali is entitled?"

On receipt of this Order, this was duly registered and notices were issued to the parties to file their respective Written Statements. But before the parties could file any Written Statements on this reference, this Tribunal received an Order from the Hon'ble High Court staying all proceedings and calling for the records of this reference in view of a rule issued by the said Court on a writ petition filed by the management questioning the validity of this reference. In view of this Order from the Hon'ble High Court, the records in this reference was sent to the said Court. Thereafter, the Hon'ble High Court was pleased to send back the records of this case to this Tribunal rejecting the management's application. The Tribunal therefore had to issue fresh notice to the parties to file their Written Statement in this case. In response to this notice, the parties filed their Written Statements and also Additional Written Statements.

Thereafter, before this case could be fixed for hearing, the parties filed a joint petition of compromise annexing with it a Memorandum of Settlement under section 18(1) and 2(P) of the Industrial Disputes Act, 1947. I have been through the terms of the settlement and find these reasonable. I therefore give my award in terms of the settlement arrived at between the parties, a copy of which is annexed herewith and marked as—Annexure 'A' and this will form a part of my award.

ANNEXURE "A"

"MEMORANDUM OF SETTLEMENT"

(Under Section 18(1) and 2(P) of the Industrial Disputes Act, 1947)

Representing the Parties :

EMPLOYER :

Assam Oil Company Limited, Dighoi, Assam

Shri R. L. Barooah, Industrial Relations Manager.

Shri S. Bhargava, Senior Industrial Relations Officer.

WORKMEN :

Assa Oil Co. Labour Union, Reg. No. 43, Dighoi, Assam.

Shri N. Biswas, President

Shri A. C. Paul, Joint Secretary

Shri A. C. Borpuza, Joint Secretary

Shri R. Sahu, Vice-President.

SHORT RECITAL OF THE CASE

At the instance of the A.O.C. Labour Union, the Government of India, Ministry of Labour, vide their Order of Reference No. 7(3)/70-LR-IV dated 16-10-1970, referred an Industrial dispute in respect of issue of dismissal of Shri Habib Ali, Reg. No. 30807 from services of Assam Oil Company with effect from 2-12-1961 for committing a misconduct under the Company's Standing Order Rules. This Order of Reference has since been registered as Ref. No. CH-NTL 23 of 1970 before the Presiding Officer, Industrial Tribunal (Central) at Dibrugarh, the adjudication proceedings of which is now pending before the said Tribunal. The parties have in the meantime discussed between themselves the possibility of settling the case amicably out of the Tribunal Proceedings and after a series of discussions finally reached a settlement as per terms and conditions given hereunder.

TERMS OF SETTLEMENT

1. The termination of service of Shri Habib Ali, Reg. No. 30807 with effect from 2-12-1961 from the service of Assam

Oil Company Ltd., shall stand and will be considered as final. Assam Oil Company Ltd., will however make ex-gratia payment of Rs. 5,000 (Rupees five thousand) only in full and final settlement of his case which is currently pending adjudication before the Industrial Tribunal (Central) at Dibrugarh.

2. The above amount will be paid within 30 days from the date of signing this Memorandum of Settlement.

3. Both the parties to the Reference, viz. Assam Oil Company Ltd., and A.O.C. Labour Union shall submit a joint petition before the Presiding Officer, Industrial Tribunal (Central), with a request to accept the terms of settlement mutually agreed upon by the parties concerned and pass necessary orders accordingly in the form of an Award.

SIGNED

Dighoi, the 18th December, 1973

for Assam Oil Co. Ltd.

Sd/-R.L. Barooah

Sd/-S. Bhargava

for A.O.C. Labour Union

Sd/-N. Biswas

Sd/-R. Sahu

Sd/-A.C. Borpuza

Witnesses:

1. Sd/-T. Saikia

2. Sd/-Bhaskar Dutta

Witnesses

1. Sd/-P.R. Sen

2. Sd/-G.N. Kakoty."

G. N. BORAH, Presiding Officer

[No. 7(3) 70—LR IV]

आदेश

नई दिल्ली, 17 दिसम्बर, 1974

का० आ० 3455—यस. केन्द्रीय सरकार की राय है कि इससे उपावृद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में समय-कालिक लाइन (प्राइवेट) लिमिटेड, स्टीमर-माली कोचीन-3 के प्रबन्धन में सम्बद्ध नियोजन और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान है।

और यतः, केन्द्रीय सरकार उक्त विवाद का न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है।

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक औद्योगिक अधि-करण गठित करती है, जिसके पीठासीन अधिकारी श्री टी० पालनीप्पन होंगे जिसका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

यथा समय-कालिक लाइन (प्राइवेट) लिमिटेड, कोचीन के कर्मचारियों की 30-9-1973 का मतान होने वाले वर्ष के लिए 20 प्रतिशत बोनस की मांग न्यायोचित है? यदि नहीं तो बोनस की मात्रा क्या होनी चाहिए?

[सं० एल०-35011/74-पी०एण्ड० डी०/सं० एम०डी०]

ORDER

New Delhi, the 17th December, 1974

S.O. 3455.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Collis Line (Private) Limited, Steamer Owners, Cochin and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the

Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri I. Palaniappan shall be the Presiding Officer with head quarters at Madras and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the workmen of Messrs Collis Line (Private) Limited Cochin are justified in demanding 20 per cent bonus for the year ending 30th September, 1973? If not, what should be the quantum of bonus?

[No. L-35011/7/74-PD/CMT]

New Delhi, the 18th December, 1974

S.O. 3456.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the industrial dispute between the employers in relation to the State Bank of India, Jabalpur and their workmen, which was received by the Central Government on the 13th December, 1974.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

Dated 6-12-1974.

Case No. CGIT/LC(R)(19) of 1974

(Notification No. L. 12012/44/74/LR/III dated August 26, 1974)

PARTIES:

Employers in relation to the management of State Bank of India and their workman, V. D. Hardikar, Clerk-typist at their Medical College Branch, Jabalpur.

APPEARANCES:

For the Workman—Mr. P. S. Nair.

For the Bank—Mr. V. S. Pandit.

Industry: State Bank of India. District: Jabalpur (M.P.)

AWARD

This is a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947. It is directed for the determination of the question:—

"Whether the action of the management of State Bank of India, Jabalpur in discharging Shri V. D. Hardikar, Clerk-typist at their Medical College Branch, Jabalpur from service with effect from the 6th July 1973 is justified? If not, to what relief is he entitled?"

Hardikar was appointed as a Clerk-cum-Typist in the State Bank of India, Katni on 14-9-1966. He was working in the Medical College Branch of the State Bank of India, Jabalpur in 1971. He was given a memo dated 20-1-1972 by the Agent of the Medical College Branch of the Bank which says:—

"Please submit your explanation for the entries as per list enclosed, made by you in the Registered Letters Despatch Register on the Branch, for which the relative postal receipts are not traceable on record, within a period of seven days from the receipt of this letter failing which it would be presumed that you have no explanation to offer and we would proceed further in the matter."

The enclosed list mentioned eleven registered covers which were all said to have been despatched from 17-5-1971 to 7-6-1971. It may be mentioned that according to Hardikar he sent the aforesaid memo of the Agent dated 20-1-1972 to the Assistant General Secretary of the State Bank of India & Subsidiary Banks Employees' Union, hereinafter called the Union, and the General Secretary of the Union was said to have discussed the matter with the authorities concerned of the Bank. Shri S. S. Pathak sent a draft reply along with

a letter dated 6-5-1972 to the local Secretary of the Union, Medical College Branch, Jabalpur, Ex. W/3, in which he said:—

"With reference to your representation at the time of our last visit, we have to advise having discussed the matter with the Management. Please arrange to get the enclosed explanation submitted by Shri Hardikar duly signed under advice to us."

Hardikar's reply dated 10th May, 1972 Ex. E/7 was in accordance with the aforesaid draft reply, Ex. W/4. It said:—

"....I beg to state that whilst performing my duties I had observed a shortage of postage stamps worth Rs. 10 and while I brought this to the notice of one of my colleagues, he told me that I should adjust the same as though certain registered letters were sent by me for the aggregate amount, which I had unintentionally did so as to offset the said loss. I may assure you, Sir, that I had to intention whatsoever of pilfering that amount or committing a fraud on the Bank. If I had any such intention it would not have been for such a petty amount. I shall be very much thankful to you if you would kindly pardon me for this great lapse on my part and assure you of no such repetition during the entire tenure of my service in future. I have a large family of 5 sisters to maintain and should I be penalised by the loss of my bread, my entire family would be left in lurch.

I have, therefore, to very kindly request your goodness to take a very compassionate view on me and my family and grant me any lesser punishment other than dismissal for which I shall always remain obliged to your goodness."

The Agent of the Medical College Branch, Shri V. K. Kher sent a chargesheet to Hardikar on 12-7-1973, Ex. W/1, which said:

"....you misappropriated a sum of Rs. 14.60 from postage Account at the branch by making fictitious entries in the Registered Letters Despatched Register in respect of undelivered letters which were not at all sent by registered post."

It was further stated that "the above charges, if established would amount to gross misconduct in terms of the provisions of the Award."

By the aforesaid chargesheet, the applicant, Hardikar was asked to submit his explanation to the Agent within a week. He was further informed that "an enquiry will be held by Shri G. S. Pandey, Agent Tularam Chowk (Jabalpur) Branch, at this office on July 29, 1972 at 3.00 p.m. to enable you to give your explanation in person and produce any evidence that you may wish to tender in your defence." He was further informed by the aforesaid chargesheet that he might arrange for any witness whom he desired to be examined in his defence. On receiving the aforesaid chargesheet, Hardikar informed the Agent by his letter dated 18-7-1972, Ex. W/2, in which he said: "With reference to your Memorandum No. S/54 dated 12th July 1972, I have forwarded the above mentioned memorandum to our Asstt. General Secretary Shri S. S. Pathak. As soon as I get the reply of the memorandum from him I will submit my explanation immediately." In his reply dated 29-7-1972, Ex. E/9, Hardikar again repeated what he had said in his earlier reply to the Agent, Ex. E/7.

The Enquiry Officer, Shri G. S. Pandey, conducted the enquiry against Hardikar. A copy of the proceedings of the enquiry is Ex. E/1. The enquiry commenced on 29-7-1972. Hardikar requested for postponement as Shri S. S. Pathak, Assistant General Secretary of the Union was not able to attend the proceeding. The proceedings say: "The enquiry officer, Shri Pandey, tried to contact Shri R. B. Joshi, Manager Personnel, Bhopal Local Head Office, to obtain his advice on this point, but could not contact him. The enquiry officer, therefore, postponed, in anticipation of his approval for the postponement of the enquiry." Again on 29-8-1972 Hardikar prayed for postponement of the enquiry proceeding on the ground that Shri Pathak was not able to attend the proceedings. The proceedings say: "....Shri Kher has no objection to the postponement of the enquiry. An advice from the Regional Manager, Bhopal was obtained by

the Enquiry Officer, Shri Pande and it was decided that the next date for enquiry be fixed on 18th September 1972. Again on 18th September 1972, Shri Pathak was absent, but the enquiry proceeded in the absence of Hardikar's representative. The charges were read out to Hardikar by the Enquiry Officer and the latter asked Hardikar as to what he had to say about the charges. He said "I admit the charges framed issued to me vide Medical College Branch of charges No 5/54 of the 12th July 1972 I have to state that Registered letters detailed in Items No v, vi, vii, & viii have actually been despatched by me by Registered post." He further stated that "to the best of my knowledge these four covers were despatched by me by registered post. I do not, at this time, recollect the disposal of the postal receipts in respect of these items." The Enquiry Officer then asked Shri Kher as to what he had to say in respect of items nos v, vi, vii, and viii. In his reply Shri Kher said "Shri Hardikar, should produce the documentary evidence in support of his statement. When again Hardikar was asked to state anything further in respect of the charges levelled against him, Hardikar's reply was recorded in Hindi. It said that he had noted a shortage of Rs 10 and when on the next day i.e. 17-5-1972, he asked for the amount from Tiwari messenger, Tiwari refused. Then he told Devagan. Devagan said if Tiwari did not give the amount you should not ask and adjust the said amount which he did. Again, the questions and answers in the proceedings are recorded in English followed by the recording in Hindi. On the next day of the enquiry viz. 19-9-1972 the proceedings were conducted by the Enquiry Officer when he again questioned Hardikar and recorded his answers. The Enquiry Officer put a question to Shri Kher, which is not very clear and in reply to that Shri Kher said "I have arranged for the presence of Shri Devagan today. He may be called as witness in the present case." Thereafter, Devagan was called and questions were put to him by the Enquiry Officer.

The findings of the Enquiry Officer are typed on page 6 of Ex F/1. The findings are, however, not to be found in the original proceedings book, Ex E/6. The finding of the Enquiry Officer was that Hardikar had "misappropriated a sum of Rs 14 60 from the postage account at the branch by making fictitious entries in the registered letters."

Shri G. S. Pandey, EW 1, gave evidence before me, evidence was most unsatisfactory. Mr Pandey appears to have constituted himself as the prosecuting officer instead of acting as an impartial enquiry officer. He perhaps thought that the charges against Hardikar were proved and he had to carry out the directions of his superiors with regard to completion of the formality of holding the enquiry. Even in matters like granting adjournments he admitted that he sought instructions from his superior officers at Bhopal. He stated "I was asked to find out the relevant documents and to verify them. I was asked to get the relevant documents from the Medical College Branch of the Bank for verification." He further stated that no documents were forwarded to him along with the letter asking him to conduct the enquiry. The letter of authority for conducting the enquiry was also not produced by him before the Tribunal. Again he stated that only three documents were shown to Hardikar during the course of the enquiry viz Ex F/3/Register Ex F/4 and the charge sheet. He further admitted that on the first date of the enquiry no documents were given to him and on the next date also no documents were given to him nor did he ask for them. He further stated that he could not say whether any other documents besides the aforesaid three documents were verified by him. He further stated that neither he verified nor saw any other documents besides the three said documents during the entire period of the enquiry. He also stated that "there is no mention in the enquiry proceedings of any documents having been shown to Hardikar besides the charge-sheet. He admitted that there was no witness for the Bank in the enquiry and said that witnesses were not considered necessary by him. He stated that "Mr Kher was present in the course of the enquiry. I put questions to Mr Kher and took his answers during the course of the enquiry. He further stated that "nobody intimated to me that Mr Kher had been appointed as the representative of the Bank. It is not noted in the enquiry proceedings that Mr Kher was appointed as the representative of the Bank for prosecuting Hardikar."

It is surprising that although Mr. Kher was present throughout in the course of the enquiry proceedings, the Enquiry Officer was unaware of the position that Mr Kher occupied even though he had questioned him and had sought his advice. He stated in his cross-examination "On 18-9-1972, I put a question marked Ex E/1A to Mr Kher and he gave a reply which is also noted in the proceedings. I did not act on the advice of Mr Kher in the enquiry proceedings. Mr Kher advised me that Hardikar should produce documentary evidence in support of his case and I did not ask Hardikar to produce documentary evidence on the advice of Mr Kher. I asked Hardikar on my own to produce documentary evidence. He further stated "presence of Devgan was arranged by Mr Kher because Mr Devgan was working at other branch. Devgan was a witness for Hardikar. Hardikar did not give a list of witnesses. Hardikar did not give in writing to call Devgan as his witness. I do not remember whether Hardikar orally asked me for getting Devgan as his witness. It was I who decided to call Devgan as Hardikar's witness. Since Devgan was Hardikar's witness, therefore I did not give him an opportunity to cross-examine Devgan, but opportunity was open to Hardikar to cross-examine Devgan. I did not ask Hardikar to cross-examine Devgan. I asked Mr Kher to put questions to Devgan. It is not correct that during examination of Sahu and Devgan Hardikar was kept out of the room. All the questions put to Devgan, Sahu and Hardikar were put by me and not by any one else."

The Enquiry Officer adopted a curious procedure and instead of asking the Bank to prove its case against Hardikar, he apparently asked Hardikar to prove his innocence. No one appeared before him on behalf of the Bank to prove the charges levelled against Hardikar. It is very likely that the Enquiry Officer assumed that Hardikar was guilty and he proceeded on that assumption. Hardikar has stated that he was informed by the Union authorities who had discussed the matter with the Bank authorities that no action would be taken against Hardikar after he had sent the draft reply as suggested by Shri Pathak. The alleged letter of the Postmaster, Ex F/3 which said that the registered letters in question were not sent was not proved by any one before the Enquiry Officer and neither was it put to Hardikar. It is not at all clear as to how Devgan was produced. It would appear from the proceedings of the enquiry that Devgan was not Hardikar's witness. Devgan was examined by the Enquiry Officer himself but he did not ask Hardikar to cross-examine him since he thought that Devgan was Hardikar's own witness. It is clear that no opportunity was given to Hardikar to cross-examine Devgan. The modes of writing in the proceedings viz in English and Hindi are also not clear. In any case, the Enquiry Officer in thinking that Hardikar had admitted his guilt was clearly in error. At no stage Hardikar admitted that he had misappropriated any amount. All that he admitted was that he had discovered a shortage and he suspected that Shri Tiwari messenger was responsible for it and it was on the suggestion of Devgan that he adjusted the account to the extent of Rs 10 and not further. According to the charge sheet the loss of stamps of unposted registered letters was Rs 14 60. Hardikar only admitted that he had discovered only a shortage of Rs 10 and he denied the remaining items. No one on behalf of the Bank came to prove that the aforesaid letters were also not despatched. The Postmaster did not come to prove his letter Ex F/3 and how it was received is also a matter of doubt. Evidence was given by Sri S. R. Patel who supported Hardikar's case that the replies sent by Hardikar to the Bank were in accordance with the draft reply which Shri Pathak had sent to the local Secretary of the Bank's union. Again, the manner in which the findings of the enquiry officer were typed in the proceedings Ex E/1 but are missing in the proceedings book Ex F/6 throws doubt on the fairness of Mr Pandey. Mr Kher who was seemingly representing the Bank without the enquiry officer being aware of it was more or less a silent spectator of the proceedings before the Enquiry officer. But he gave him directions and even orders on an occasion. The enquiry officer does not seem to have acted independently. He did not ask the Bank to prove its case against Hardikar. He himself performed all the duties of the prosecuting officer and did not allow Hardikar to cross-examine Devgan nor did he have the documents nor were such documents put to Hardikar. All these facts taken separately and together show that the enquiry was illegal and was in disregard of the rules of natural justice. As mentioned above all that Hardikar admitted was that he had found a shortage and

acting on the advice of Devgan he had made some adjustments in the Bank's register.

Mr. Nair for Hardikar argued that there was no evidence that these adjustments were fictitious entries and further that these letters had not been posted or had not been received. On the other hand, it was stated on behalf of the Bank that some of the postal numbers in the adjusted entries were the same numbers which had been entered earlier in the register. He further argued that the same numbers could be repeated in the correspondence. In any case, I agree with Mr. Nair's contention that it was not at all proved that Hardikar had embezzled any money. He may have acted foolishly in making some adjustments on the advice of Devgan. There appears to be force in the contention on behalf of Hardikar that very likely it was agreed between the Union's representative and the Bank authorities that after Hardikar had sent a reply as suggested by the Union no further action would be taken. It may be that for some reasons the Bank authorities shifted their stand. In any case, I am not prepared to uphold the findings of the Enquiry Officer which are clearly unjust. It would have been in the fitness of things if the Bank had taken suitable departmental action against Hardikar for the irregularity committed by him in making adjustments. Warning or stoppage of increment for a period of six months might have been sufficient punishment. The Bank, however, preferred to act otherwise and decided to impose the extreme punishment. As I have mentioned, the proceedings before the Enquiry Officer were violative of the rules of natural justice and must be set aside.

My award, therefore, is that the action of the management of State Bank of India, Jabalpur in discharging Shri V. D. Hardikar, Clerk-typist at their Medical College Branch, Jabalpur from service with effect from the 6th July 1973 was not justified. He is entitled to be reinstated in service from 6-7-1973 and should be paid all the amounts due to him as salary and allowances etc. The workman V. D. Hardikar will get Rs. 200 as costs from the Bank.

S. N. KATJU, Presiding Officer.

[No. L. 12012/44/74/LR.III]

अविज्ञ

नई दिल्ली, 8 नवम्बर, 1974

का० प्रा० 3457.—प्रत. केन्द्रीय सरकार की राय है कि इसमें ज्ञातव्य अनुसूची में विनिर्दिष्ट विषयों के बारे में सेंट्रल बैंक आफ इंडिया से सम्बद्ध नियोजकों और उनके कार्यकारी के बीच एक औद्योगिक विवाद विद्यमान है ;

और यत. केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना बांछनीय समझती है ,

प्रत., अथ, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार एक औद्योगिक अधिकरण गठित करती है, जिसके पीठासीन अधिकारी श्री एच० आर० सोरो होंगे जिनका मुख्यालय चंडीगढ़ में होगा और उक्त विवाद को उक्त औद्योगिक अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची

क्या पेट्रुल बैंक आफ इंडिया के प्रबन्धनन्त्र की ओर के० के० त्रिखा, लिपिक, रोहताक शाखा को अखिल भारतीय सेवा और राज्य सेवा के अधीन प्रोन्नति देने से इकार करने की कार्रवाई न्यायोचित है ? यदि नहीं, तो वह किस अनुसूची का हकदार है ?

[सं० एल-12012/10/74-एल० आर० III]

आर० कुंजीयापदम, अवसर सचिव

ORDER

New Delhi, the 8th November, 1974

S.O. 3457.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Central Bank of India and their workman in respect of the matter specified in the Schedule hereto annexed ;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication ;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri H. R. Sodhi shall be the Presiding Officer, with headquarters at Chandigarh and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the action of the management of Central Bank of India in denying promotion to Shri K. K. Trikha, Clerk, Rohtak Branch, under the All India Service and under State Service is justified ? If not, to what relief is he entitled ?

[No. L-12012/10/74-LR.III]

New Delhi, the 18th December, 1974

S.O. 3458.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Rajasthan, Jaipur in the industrial dispute between the employers in relation to the employers of Messrs. Duduwala & Company (Private) Limited, Mica Mine Owners, Bhilwara and their workmen, which was received by the Central Government on the 13th December, 1974.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, RAJASTHAN, JAIPUR

Ref:—Government of India, Ministry of Labour, Employment and Rehabilitation (Department of Labour & Employment), New Delhi Order No. 24/62/69-LRIV, dated 12th November, 1969.

In the Matter of an Industrial Dispute,

BETWEEN

The Employers Messrs. Duduwala & Co. (Private) Limited, Mica Mine Owners, Bhilwara.

AND

Their workman represented by the Khan Mazdoor Congress, Bhilwara.

APPEARANCES :

For the Company.—

For the Congress—Shri Paramanand Tripathi.

Date of Award—4th November, 1974.

AWARD

The Central Government has made the following reference to this Tribunal for adjudication:—

“Whether the resignation tendered by Shri Hiralal, Sorter, Toonka Mine on the 6th June, 1969 was voluntary and its acceptance by Messrs. Duduwala and Company, Mica Mine Owners, Bhilwara, was bonafide? If not, to what relief is the workman entitled ?”

The statement of claim has been filed on behalf of Khan Mazdoor Congress, Bhilwara. It is alleged in the statement of claim that Shri Hiralal was appointed as Head Sorter in the Duduwala & Company, Mica Mines Owners, Bhilwara in 1964. The Manager Shri Kishan Lal issued a charge-sheet for theft but no enquiry was held. He was threatened by the Manager from time to time that the matter will be reported to the Police if he did not leave the service. Afraid of this action on the part of the management Shri Hiralal tendered his resignation on 6th June, 1969. Subsequently he reported the matter to the Union that the management had obtained his resignation under duress and threat. The Union took up the matter with the Conciliation Officer and on the failure report of the Conciliation Officer, the Central Government has made this reference.

In reply on behalf of the management it is denied that the resignation was obtained under duress and threat. It is alleged that it was tendered voluntarily.

Evidence of both the parties was recorded. The workman produced two other witnesses Hiralal s/o Laluram and Nandram besides himself, but they do not say that the resignation was written in their presence and under threat. There is the statement of the workman alone and he has stated that his signatures were obtained on the threat that the matter will be reported to the Police.

I have considered this evidence and find that the fact that the signatures were obtained under duress or threat is not proved. The other witness produced by the workman do not help him. On the sole evidence of the workman I am not prepared to hold that the resignation was obtained by force. The contention of the workman is, therefore, rejected and the reference is answered accordingly. The award be sent to the Central Government for publication.

U. N. MATHUR, Presiding Officer

[No. 24/12/69-LR.IV]

S.O. 3459.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Jabalpur in the industrial dispute between the employers in relation to the management of Rajasthan Atomic Power Project, Post Office, Anushakti, Via-Kota and their workmen, which was received by the Central Government on the 7th December, 1974.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT JABALPUR

Case No. CGIT/LC(R)(5) of 1973

(Notification No. L-29011/28/73-LR. IV, dated 19th April, 1973).

PARTIES :

Employers in relation to the management of Rajasthan Atomic Power Project, Post Office Anushakti, Via Kota and their workmen, represented by Rajasthan Anushakti Pariyojna Karamchhari Sangh, P.O. Rawath-bhatta, via Kota.

APPEARANCES :

For the workmen—Shri G. D. Mehta.

For the management—Shri P. C. Jain.

INDUSTRY : Atomic Power Project DISTRICT : Kota
(Rajasthan)

AWARD

This is a reference under Section 10(2) of the Industrial Disputes Act, 1947, hereinafter called 'the Act'. The question referred to this Tribunal for its adjudication as set out in the schedule to the reference is :—

"Whether the action of the management of Rajasthan Atomic Power Project, Post Office Anushakti, Via Kota in giving a notice of change dated 20th March, 1973 under section 9A of the Industrial Disputes Act, 1947, in so far as payment of overtime allowance to Staff Car Driver is concerned, is justified? If not, to what relief are they entitled?"

The dispute is between the Staff Car Drivers of the Rajasthan Atomic Power Project, hereinafter called the Project, and the management of the Project. It is one of the Projects under the Power Projects Engineering Division of the Department of Atomic Energy, Government of India. The aforesaid Department is engaged in the development, control and use of atomic energy for the welfare of the people of India and for peaceful purposes and for matters connected therewith in terms of the Atomic Energy Act (33 of 1962).

The Rajasthan Anushakti Pariyojna Karamchhari Sangh, which is a recognised Union of the employees of the Project, hereinafter called 'the Union', had raised a dispute regarding payment of overtime allowance to drivers at the rates paid to other employees of the project. Prior to 1-8-1971 the drivers were being paid overtime allowance in accordance with the Staff Car Rules. After negotiations, a conciliation settlement was signed before the Assistant Labour Commissioner (Central), Kota on 17-11-1971 which provided for payment of overtime allowance to Motor Vehicle Drivers and Bus Helpers of the Project in accordance with the provisions of the Motor Transport Workers Act, 1961.

The parties did not lead any oral evidence. Their learned representatives argued before me and also filed written arguments.

It has been contended on behalf of the Project that after signing the aforesaid settlement, it was discovered that the management of the Project was under a mistaken belief that the Staff Car Drivers were covered by the provisions of the Motor Transport Workers Act. When it was found that the Staff Car Drivers did not come within the meaning of Section 2(g) of the Motor Transport Workers Act, the management of the Project gave a notice under section 19(2) of the I.D. Act for termination of the aforesaid settlement dated 17-11-1971 on 12/13-12-1972 in so far as the staff car drivers were concerned. The aforesaid notice expired on 12-2-1973. For enforcing the said change in the settlement dated 17-11-1971, the management of the Project gave another notice under section 9A of the I.D. Act on 20-3-1973 to the Union. It was stated in the aforesaid notice that with effect from 12-4-1973 the staff car drivers shall be entitled to overtime allowance as admissible to them under the Staff Car Rules and not under the Motor Transport Workers Act, 1961. Thus a dispute was raised between the management of the Project and the Union and the parties agreed for a joint reference of the dispute for adjudication under section 10(2) of the I.D. Act.

It has been contended on behalf of the workmen that the management of the Project now wants to curtail the overtime allowance of only Light Vehicle Drivers while other drivers and staff will continue to get overtime allowance at enhanced rates and will be covered by the provisions of Motor Transport Workers Act and this amounts to wrongful discrimination between two sets of drivers and thus the management of the Project is not justified in denying the overtime allowance to few light vehicle drivers under the Motor Transport Workers Act at enhanced rates.

It has been contended on behalf of the management of the Project that it maintains a fleet of vehicles including staff cars, buses, trucks and goods carriers and there are two categories of drivers having entirely different duties and pay scales. Heavy vehicle drivers drive heavy vehicles viz. trucks and buses only and their revised scale of pay is Rs. 320—400. The other category of drivers is for driving light vehicles and they are commonly known as light vehicle drivers. They drive light vehicles, like staff cars, jeeps, station wagons, ambulance and similar light vehicles and do not drive heavy vehicles. Their revised scale of pay is Rs. 260—350. The Project has contended that the aforesaid two categories of drivers have different duties and scales of pay and, therefore, the classification on which it is founded is based on an illegible differentia which distinguishes persons grouped together from others and there is a

rational nexus between the classification. Since heavy vehicle drivers are not similarly situated, there is no question of infringement of right of equality as has been contended by the Union.

It has been further contended that light vehicle drivers are not governed by the Motor Transport Workers Act and are governed by the Staff Car Rules as framed by the President under the Rule making power conferred under Article 309 of the Constitution of India. The other category of heavy vehicle drivers and bus helpers would continue to be governed by the Motor Transport Workers Act for purposes of overtime allowance.

In its rejoinder, the Union contended that there was not much distinction in the work of the staff car drivers and the heavy vehicle drivers because the former were very often put on heavy vehicles and made to drive them. This allegation was made, as mentioned above, in the rejoinder and not in the written statement. The management of the Project in its reply to the written statement of the Union had categorically contended that there were two sets of drivers—one for staff cars and light vehicles and the other for heavy vehicles. There is no evidence on the record to substantiate the contention raised on behalf of the workmen that the staff car drivers were also put on duty for driving heavy vehicles. If that is so, then it will be open to the staff car drivers to claim overtime allowance for the period when they work as such on the rates as admissible to the heavy vehicle drivers.

It cannot be said that the staff car drivers come within the meaning of section 2(g) of the Motor Transport Workers Act. There is nothing on the record to indicate that the staff cars of the Project carry on any activity as private carriers. The Project could only be a "motor transport undertaking" in so far as it carries on the activity of private carrier and not otherwise. As mentioned above, the user of the staff cars of the Project has nothing to do with the activity of private carriers. In *Madhya Pradesh Electricity Board v. The State of Madhya Pradesh and others* (A.I.R. 1972-M.P. 188), it was observed :—

"No doubt, the petitioner Board is a private carrier; but it is not only a private carrier. It has other business activities which are unconnected with its activity as a private carrier. Consequently, it cannot be equated with a private carrier for all purposes. In Clause (g) of Section 2 of the Act, it is a private carrier which has been included within the definition of 'motor transport undertaking'. Consequently, it would be quite unjustified to equate 'motor transport undertaking' with the petitioner Board because it also carries on the activity of a private carrier and, therefore, a private carrier within the meaning of the Motor Vehicles Act. The petitioner Board would be a 'motor transport undertaking' only, in so far as it carries on the activity of a private carrier, in other words, in relation to its activity as a private carrier.

.....In other words, the petitioner Board qua private carrier would require registration and consequently for this purpose it shall have to declare under the Act and the Rules only the 'goods vehicles' owned by it and which it uses as a private carrier. Its staff cars, jeeps, etc., which have no relation with its activity as a private carrier, shall not have to be so declared".

Thus, there is force in the contention of the Project that it had wrongly included the staff car drivers in the settlement dated 17-1-1971 and it was justified in terminating the provision of the settlement in so far as it concerned the staff car drivers.

The learned representative of the workmen argued that while the Project is paying overtime allowance at enhanced rates to several categories of its employees, it is unfair and discriminatory that it should refuse to do so only in case of staff car drivers. It may be that the management of the Project is paying overtime allowance at higher rates to certain categories of its staff, but that by itself is no ground for compelling it to do so in the case of staff car drivers as well. The latter are being paid overtime allowance at the rate fixed for the staff car drivers.

Taking all the circumstances into consideration, my answer to the reference is in the affirmative and the staff car

drivers of the Project are not entitled to any relief. I make my award accordingly. The parties will bear their own costs.

30-11-74

S. N. KATJU, Presiding Officer.

[No. L-29011/28/73-LR.IV]

R. KUNJITHAPADAM, Under Secy.

नई दिल्ली, 13 दिसम्बर, 1974

का० घा० 3460.—यतः केन्द्रीय सरकार ने, यह समाधान हो जाने पर कि लोक हित में ऐसा अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ड) के उप-खण्ड (VI) के परन्तुक के उपबन्धों के अनुसरण में एक अधिसूचना (भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० घा० 1577, दिनांक 7 जून, 1974) द्वारा दिल्ली दुग्ध स्कीम के अधीन दुग्ध प्रदाय के लिए उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 22 जून, 1974 से छ. मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था ;

और यत, केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छ. मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (ड) के उप-खण्ड (VI) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त उद्योग को उक्त अधिनियम के प्रयोजन के लिए, 22 दिसम्बर, 1974 से छ. मास की और कालावधि लेके लिए लोक उपयोगी घोषित करती है।

[का० संख्या एस-11025/25/74-एल०घा०-I]

New Delhi, the 13th December, 1974

S.O. 3460.—Whereas, the Central Government, being satisfied that the public interest so required had declared by a notification made in pursuance of the provisions of the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), (being the notification of the Government of India in the Ministry of Labour No. S.O. 1577 dated the 7th June, 1974) the industry for the supply of milk under the Delhi Milk Scheme to be a public utility service for the purposes of the said Act, for a period of six months from the 22nd June, 1974;

And whereas, the Central Government is of opinion that the public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a further period of six months from the 22nd December, 1974.

[F. No. S.11025/25/74-LR.I.]

नई दिल्ली, 16 दिसम्बर, 1974

का० घा० 3461.—आन अधिनियम, 1952 (1952 का 35) की धारा 5 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा डा० बी० एन० मिश्रा को मुख्य आन निरीक्षक के अधीन आन निरीक्षक के रूप में नियुक्त करती है।

[संख्या ए-12025/3/73-एम-I]

New Delhi, the 16th December, 1974

S.O. 3461.—In exercise of the powers conferred by sub-section (1) of section 5 of the Mines Act, 1952 (35 of 1952), the Central Government hereby appoints Dr. B. N. Mittal as Inspector of Mines subordinate to the Chief Inspector of Mines.

[No. A. 12025/3/73-MI]

का० प्रा० 3462.—यान अधिनियम, 1952 की धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार गन्तव्य श्री के० पी० चौधुरी को मुख्य खान निरीक्षक के अधीन खान निरीक्षक के रूप में नियुक्त करती है।

[फाइल संख्या एम-29013/8/74-एम-1]

S.O. 3462. In exercise of the powers conferred by sub-section (1) of section 5 of the Mines Act, 1952 (35 of 1952), the Central Government hereby appoints Shri K. C. Choudhury as Inspector of Mines subordinate to the Chief Inspector of Mines

[No S 29013/8/74 MI]

नई दिल्ली, 17 दिसम्बर, 1974

का० प्रा० 3463.—यस केन्द्रीय सरकार ने, यह समाधान हो जाने पर कि लोकहित में ऐसा अपेक्षित या औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (6) के उपबन्धों के अनुसरण में, भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० प्रा० 1576, तारीख 7 जून, 1974 द्वारा उक्त अधिनियम की धारा 2 के खंड (ख ख) में यथा परिभाषित बैंककारी कंपनी द्वारा चलाए जा रहे बैंककारी उद्योग को, उक्त अधिनियम के प्रयोजनों के लिए 29 जून, 1974 से छ मास की कालावधि के लिए उपयोगी सेवा घोषित किया गया था ;

और यह केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि का छ मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है ,

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) के धारा 2 के खंड (ड) के उपखंड (6) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 29 दिसम्बर, 1947 से छ मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[स० एम० 11025/24/74-एल० धार० 1]

एस० एस० सहस्रनामान, प्रवर सचिव

New Delhi, the 17th December, 1974

S.O. 3463.—Whereas, the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour No. S.O. 1576 dated the 7th June, 1974, the banking industry carried on by a banking company as defined in clause (bb) of section 2 of the said Act, to be a public utility service for the purposes of the said Act, for a period of six months from the 29th June, 1974.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months,

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act, for a further period of six months from the 29th December, 1974

[F No S 11025/24/74-LRI]

S S SAHASRANAMAN, Under Secy

नई दिल्ली, 11 दिसम्बर, 1974

का० प्रा० 3464.—यस केन्द्रीय सरकार का समाधान हो गया है कि भारत सरकार के पर्यटन और नागर विमानन मंत्रालय के मैदालोजिकल वर्कशॉप, पूना के कर्मचारियों को, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) के अधीन उपबन्धित प्रसुविधाएँ जैसी भारत प्रसुविधाएँ प्राप्त हैं।

अतः, अब, उक्त अधिनियम की धारा 90 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० प्रा० 2434 तारीख 4 अगस्त, 1973 के क्रम में केन्द्रीय सरकार, कर्मचारी राज्य बीमा निगम से परामर्श करने के पश्चात्, उक्त शक्ति कारखाने को उक्त अधिनियम के प्रवर्तन में 25 अगस्त, 1974 से 24 अगस्त, 1975 तक, जिसमें यह दिन भी सम्मिलित है, एक और वर्ष की अवधि के लिए छूट देती है।

[फाइल संख्या एस-38014(44)/73-गण० आई०]

New Delhi, the 11th December, 1974

S.O. 3464.—Whereas the Central Government is satisfied that the employees of the Meteorological Workshop, Poona belonging to the Government of India in the Ministry of Tourism and Civil Aviation are otherwise in receipt of benefits substantially similar to the benefits provided under the Employees State Insurance Act, 1948 (34 of 1948).

Now, therefore, in exercise of the powers conferred by section 90 of the said Act and in continuation of the notification of the Government of India in the late Ministry of Labour and Rehabilitation (Department of Labour and Employment) No. S.O. 2434, dated the 9th August, 1973 the Central Government, after consultation with the Employees' State Insurance Corporation, hereby exempts the above mentioned factory from the operation of the said Act for a further period of one year with effect from the 25th August, 1974 upto and inclusive of the 24th August, 1975.

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case, as the request for renewal of exemption was received only in August, 1974 and the processing of the application took time. The factory has, however, been found to be eligible for exemption with effect from 25th August, 1974

[F No. S-38014(44)/73-HI]

का० प्रा० 3465.—यस केन्द्रीय सरकार का समाधान हो गया है कि भारत सरकार के भारत सरकार मुद्रणालय, त्रिचूर जिला (केरल राज्य) के कर्मचारियों को, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) के अधीन उपबन्धित प्रसुविधाएँ जैसी भारत प्रसुविधाएँ प्राप्त हैं।

अतः, अब, उक्त अधिनियम की धारा 90 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या 2199 तारीख 19 अगस्त, 1974 के क्रम में केन्द्रीय सरकार कर्मचारी राज्य बीमा निगम से परामर्श करने के पश्चात्, उक्त कारखाने को उक्त अधिनियम के प्रवर्तन में 6 जुलाई, 1974 से 5 जुलाई, 1975 तक, जिसमें यह दिन भी सम्मिलित है, एक और वर्ष की अवधि के लिए छूट देती है।

व्याख्यात्मक ज्ञापन

चूँकि इस कारखाने को छूट प्रदान करने के लिए कर्मचारी राज्य बीमा निगम के महानिदेशक की औपचारिक सिफारिश केवल अगस्त, 1974 में ही प्राप्त हुई थी, इसलिए इस मामले में छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है। तथापि, इस कारखाने को 6 जुलाई, 1974 से और आगे छूट दिए जाने के लिए पात्र पाया गया है।

[फा० स० एस०-38017(7)/74-एच० आई०]

टी० एस० कृष्णामूर्ति, प्रवर सचिव

S.O. 3465.—Whereas the Central Government is satisfied that the employees of the Government of India Press Koratty, Trichur District (Kerala State) belonging to the Government of India are otherwise in receipt of benefits substantially similar to the benefits provided under the Employees' State Insurance Act, 1948 (34 of 1948).

Now, therefore, in exercise of the powers conferred by section 90 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour No. S.O. 2199, dated the 19th August, 1974 the Central Government after consultation with the Employees'

State Insurance Corporation, hereby exempts the above-mentioned factory from the operation of the said Act for a further period of one year with effect from the 6th July, 1974 upto and inclusive of the 5th July, 1975.

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case, as the formal recommendation of the D.G., E.S.I.C. for the grant of exemption to the factory was received only in August, 1974. However, the factory has been found to be eligible for further exemption w.e.f. 6th July, 1974.

[F. No. S-38017(7)/74-HI]

नई दिल्ली, 1 दिसम्बर, 1974

का० प्रा० 3466.—यत्: केन्द्रीय सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 10 की उपधारा (1) के अनुसरण में डा० शरद कुमार उष महानिदेशक (चिकित्सा) स्वास्थ्य सेवा महानिदेशालय, नई दिल्ली, को डा० जे० सी० मचदेवा के स्थान पर उक्त धारा के अधीन गणित चिकित्सा प्रमुखता परिवर्द्ध का सद्यः नामनिर्दिष्ट किया है;

धत्तः, प्रत्तः, उक्त अधिनियम की धारा 10 के अनुसरण में केन्द्रीय सरकार भारत सरकार के भूतपूर्व श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं० का० प्रा० 3680 तारीख 21 अगस्त, 1971 में और आगे निम्नलिखित संशोधन करती है, अर्थात्:—

“सदस्यों” उक्त अधिसूचना में शीर्षक के नीचे मध (2) के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्:—

डा० शरद कुमार
उप महा निदेशक (चिकित्सा)
स्वास्थ्य सेवा महानिदेशालय,
नई दिल्ली।

[का० सं० यू-16012(8)/74-एच० आई०]

New Delhi, the 17th December, 1974

S.O. 3466.—Whereas the Central Government has, in pursuance of sub-section (1) of section 10 of the Employees State Insurance Act, 1948 (34 of 1948) nominated Dr. Sharad Kumar, Deputy Director General (Medical), Directorate General of Health Services, New Delhi as a member of the Medical Benefit Council constituted under the said section, in the place of Dr. J.C. Sachdev;

Now, therefore, in pursuance of section 10 of the said Act, the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 3680 dated the 21st August, 1971, namely:—

In the said notification, under the heading 'Members' for the entry against item (2), the following entry shall be substituted, namely:—

“Dr. Sharad Kumar, Deputy Director General (Medical), Directorate General of Health Services, New Delhi.”

[No. U. 16012/8/74-HI]

का० प्रा० 3467.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का० प्रा० 333 तारीख 23 जनवरी, 1974 के क्रम में केन्द्रीय सरकार (सी) नेशनल कोल डेवलपमेंट कॉर्पोरेशन लिमिटेड प्रेस, राँची को उक्त अधिनियम के प्रवर्तन से 26 अक्टूबर,

1974 से 25 अक्टूबर, 1975 तक, जिसमें यह दिन भी सम्मिलित है एक वर्ष की और अवधि के लिए छूट देती है।

व्याख्यात्मक ज्ञापन

चुकि छूट सम्बन्धी प्रस्ताव की जाँच करने में समय लग गया, इसलिए इस छूट की भूतलकी प्रभाव से लागू करना आवश्यक हो गया है। तथापि, यह प्रमाणित किया जात है कि जिन परिस्थितियों में यह छूट प्रथमतः प्रदान की गई थी, वे अब भी विद्यमान हैं और यह कारखाना अभी भी छूट के लिए पात्र है।

[एस०-38017/8/73-एच० आई०]

S.O. 3467.—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour No. S.O. 333, dated the 23rd January, 1974, the Central Government hereby exempts the National Coal Development Corporation Limited Press, Ranchi, from the operation of the said Act for a further period of one year with effect from the 26th October, 1974 upto and inclusive of the 25th October, 1975.

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the proposal for exemption took time. However, it is certified that the conditions under which exemption was initially granted still persist and the factory continues to be eligible for exemption.

[S-38017/8/73-HI]

का० प्रा० 3468.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं० का० प्रा० 64 तारीख 28 दिसम्बर, 1973 के क्रम में केन्द्रीय सरकार की भारत हेवी प्लेट्स एण्ड वैसल्स लिमिटेड, विशाखापत्तनम, आन्ध्र प्रदेश की उक्त अधिनियम के प्रवर्तन से 22 जनवरी, 1973 से 21 जनवरी 1976 तक, जिसमें यह दिन भी सम्मिलित है एक वर्ष की और अवधि के लिए छूट देती है।

[सं० एस-38017(6)/73-एच० आई०]

S.O. 3468.—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour and Rehabilitation (Department of Labour and Employment) No. S.O. 64 dated the 26th December, 1973 the Central Government hereby exempts The Bharat Heavy Plates and Vessels Limited, Visakhapatnam, Andhra Pradesh, from the operation of the said Act for a further period of one year with effect from the 22nd January, 1975 upto and inclusive of the 21st January, 1976.

[S-38017(6)/73-HI]

का० प्रा० 3469.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 29 दिसम्बर, 1974 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी हैं) और अध्याय 5 और 6 (धारा 76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी हैं) के उपबन्ध कर्माधिक राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:

क्षेत्र	होबली	तासुक	त्रिला
मेटा गल्ली	कासुवा	मंसूर	मंसूर
राजस्व ग्राम			

[सं० एस-38013/8/74-एच० आई०]

टी० एस० कृष्णमूर्ति, अवसर सचिव

New Delhi, the 23rd December, 1974.

S.O. 3469.—In exercise of the powers conferred by Sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 29th December, 1974 as the date on which the provisions of Chapter IV (except section 44 and 45 which have already been brought into force) and Chapters V and VI (except Sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following area in the State of Karnataka, namely:—

Area	Hobli	Taluk	District
Metagally Revenue Village.	Kasuba	Mssore	Mysore

[No. S-38013/8/74-HI]

T. S. KRISHNAMURTHY, Under Secy.

नई दिल्ली, 12 दिसम्बर, 1974

क्र० प्र० 3470.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स डोमेस्टिक गैस प्राइवेट लिमिटेड, 3764-राष्ट्रपति रोड, सिकन्दराबाद नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहु संख्या इस बात पर सहमत हो गया है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1973 के अप्रैल के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019 (175)/74-पी०एफ० 2(i)]

New Delhi, the 12th December, 1974

S.O. 3470.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Domestic Gas Private Limited, 3764 Rashtrapathi Road, Secunderabad have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1973

[No. S. 35019(175)/74-PF. II(i)]

क्र० प्र० 3471.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, संबद्ध विषय में आवश्यक जांच करने के पश्चात् 1 अप्रैल, 1973 से मैसर्स डोमेस्टिक गैस प्राइवेट लिमिटेड, 3764-राष्ट्रपति रोड, सिकन्दराबाद नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एस० 35019(175)/74-पी० एफ० 11 (ii)]

S.O. 3471.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from 1st day of April, 1973 the establishment known as Messrs Domestic Gas Private Limited, 3764 Rashtrapathi Road, Secunderabad for the purposes of the said proviso.

[No. S. 35019(175)/74-PF. II(ii)]

क्र० प्र० 3472.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सेठ गिरधारी लाल दामोदर दास राठी (एच० यू० एफ०) पोस्ट बॉक्स नम्बर 6 रायचूर नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1974 के जून के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एम०-35019(198)/74-पी०एफ० 2]

S.O. 3472.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Seth Gir-dharilal Damodardas Rathi (H.U.F.) Post Box No. 6, Raichur have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of June, 1974.

[No. S. 35019(198)/74-PF-II]

क्र० प्र० 3473.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एरिज एप्रो-वेट इण्डस्ट्रीज (प्राइवेट) लिमिटेड, 29, आगामी इंडस्ट्रियल एस्टेट, मेरोल मारोशी, रोड अन्धेरी (ईस्ट), मुम्बई, जिसके अन्तर्गत 17, प्लेट फार्म रोड, बगलौर-23 स्थित उसकी शाखा भी आती है, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1974 की जनवरी के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35018(60)/74-पी० एफ० 2]

S.O. 3473.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Aries Agro-Vet Industries (Private) Limited, 29, Aghadi Industrial Estate, Marol Maroshi Road, Andheri (East) Bombay, including its branch at 17, Platform Road, Bangalore-23, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1974.

[No. S. 35018/60/74/PF-II]

का० धा० 3474.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स इन्डियन रेड क्रॉस सोसाइटी, रेड क्रॉस रोड, शोलापुर-52 नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1973 की जून के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(162)/74-पी०एफ० 2 (i)]

S.O. 3474.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs W.M.I. South Private Limited 4/2 Millers Road, Bangalore-52 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of June, 1973.

[No. S. 35019(162)/74-PF. II(i)]

का० धा० 3475.—कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इस विषय में आवश्यक जांच कर लेने के पश्चात् इन्डियन एम० आई० साउथ प्राइवेट लिमिटेड 4/2 मिलर्स रोड, बंगलोर-52 नामक स्थापन को 1-6-1973 से उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एस० 35019(162)/74-पी०एफ० 2(ii)]

S.O. 3475.—In exercise of the powers conferred by the first proviso to section 6 of the Employees Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the

Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 1st day of June, 1973 the establishment known as Messrs W.M.I South Private Limited 4/2 Millers Road, Bangalore-52 for the purposes of the said proviso.

[No. S. 35019(162)/74-PF. II(ii)]

का० धा० 3476.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स इन्डियन रेड क्रॉस सोसाइटी, रेड क्रॉस रोड, शोलापुर नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1972 की जून के तीसरे दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35018(52)/74-पी०एफ० II]

S.O. 3476.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Indian Red Cross Society, Red Cross Road, Sholapur have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of June, 1972.

[No. S. 35018(52)/74-PF. II]

का० धा० 3477.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स डी इंटर्नेशनल, 206-ए-जैड, इंडस्ट्रियल एस्टेट, लोअर पारेल, मुम्बई-13 नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है।

यह अधिसूचना 1973 के दिसम्बर के इकत्तीसवें दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35018(55)/74-पी०एफ० 2]

S.O. 3477.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as the Messrs Deekay International, 206-A-Z Industrial Estate Lower Parel, Bombay-13 have agreed that the provisions of the Employees'

Provident Funds and the Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act, to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of December, 1973.

[No. S. 35018/55/74-PF. II]

का० प्रा० 3478—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मरोल कोआपरेटिव इंडस्ट्रियल एस्टेट, मरोल भवन, मथुरादास वास्तनजी रोड, जे० बी० नगर डा० 59 मुम्बई-59 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1973 के दिसम्बर के इकतीसवें दिन को प्रवृत्त हुई समझी जाएगी ।

[सं० एस० 35018(57)/74-पी०एफ० 2]

S.O. 3478.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Marol Co-operative, Industrial Estate, Marol Bhavan, Mathuradas Vassanji Road, J. B. Nagar, Post Bombay-59 have agreed that the provisions of the Employees Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of December, 1973.

[No. S. 35018/57/74-PF. II]

का० प्रा० 3479—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स वी कैश फार्मसी-2, सेट मार्क्स रोड, बंगलौर-560001 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1974 के अगस्त के प्रथम दिन को प्रवृत्त हुई समझी जाएगी ।

[सं० एस०-35019(201)/74-पी०एफ० 2]

S.O. 3479.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs The Cash Pharmacy, 2, St Marks Road, Bangalore-560001, have agreed that the provisions of the Employees Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act, to the said establishment.

This notification shall be deemed to have come into force on the first day of August, 1974.

[No. S. 35019 (201)/74-PF. II]

का० प्रा० 3480—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स ओरियंटल केमिण्डस प्राइवेट लिमिटेड, प्लॉट नं० ए-7, एम० आई० डी० सी० केमिकल जोन, अम्बरनाथ, थाना जिला नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1973 के जून के तीसवें दिन को प्रवृत्त हुई समझी जाएगी ।

[सं० एस०-35018(54)/74-पी० एफ० 2]

S.O. 3480.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Oriental Chemindus Private Limited, Plot No. 7, M. I. D. C. Chemical Zone Ambarnath, District Thana have agreed that the provisions of the Employees Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of June, 1973.

[No. S. 35018/54/74-PF. II]

का० प्रा० 3481—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स क्राउन मिल्क एंड रेयान मिल्स प्राइवेट लिमिटेड, 208-शोभराज पार्क, ठाकुर बापानगर के सामने, अहमदाबाद नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1974 के फरवरी के अठ्ठाहसवें दिन को प्रवृत्त हुई समझी जाएगी ।

[सं० एस०-35019(178)/74-पी०एफ० 2]

S.O. 3481.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Crown Silk and Royon Mills Pvt. Ltd. 208, Shobhraj Park, Opp. Thakkar Bapanagar, Ahmedabad agreed that the provisions of the Employees Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the twenty eighth day of February, 1974.

[No. S. 35019 (178)/74-PF. II]

का०प्रा० 3482.—यत् केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स खन्ना इन्डस्ट्रीज, जीवन सिल्क मिल्स कम्पाउण्ड, साकी नाका, मुम्बई-72 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1973 के जून के प्रथम दिन को प्रवृत्त हुई समझी जाएगी ।

[सं० एम० 35018 (53)/74-पी० एफ० 2(i)]

S.O. 3482.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Khanna Knitting Industries, Jivan Silk Mills Compound, Saki Naka, Bombay-72, have agreed that the provisions of the Employees Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of June, 1973.

[No. S. 35018(63)/74-PF II(i)]

का०प्रा० 3483.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि, अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् 1 जून, 1973 से मैसर्स खन्ना इन्डस्ट्रीज, जीवन सिल्क मिल्स कम्पाउण्ड, साकी नाका, मुम्बई-72 स्थापन को उक्त परन्तुक के प्रावधानों के लिए विनिश्चित करती है ।

[सं० एम० 35018(53)/74-पी० एफ० 2(ii)]

S.O. 3483.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter,

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hereby specifies with effect from the 1st day of June, 1973 the establishment known as Messrs Khanna Knitting Industries, Jivan Silk Mills Compound, Saki Naka, Bombay-72, for the purposes of the said proviso.

[No. S. 35018(53)/74-PF. II(ii)]

का०प्रा० 3484.—यत् केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स यूनाइटेड मशीन टूल्स, नागरवेल, हनुमान रोड, जलारम एस्टेट, राखियाल, अहमदाबाद नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1974 के मार्च के इकत्तीसवें दिन को प्रवृत्त हुई समझी जाएगी ।

[सं० एम० 35019(177)/74-पी० एफ० 2]

S.O. 3484.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs United Machine Tools, Nagarvel, Hanuman Road, Near Jalaram Estate, Rakhial, Ahmedabad have agreed that the provisions of the Employees Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of March, 1974.

[No. S. 35019 (177)/74-PF. II]

नई दिल्ली, 18 दिसम्बर, 1974

का०प्रा० 3485.—यत् केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कैलाश इन्डस्ट्रीज, कुर्ला, अंधेरी रोड, साकी नाका, मुम्बई-72 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

यह अधिसूचना 1973 के जून के प्रथम दिन को प्रवृत्त हुई समझी जाएगी ।

[सं० एम०-35018(59)/74-पी० एफ० 2(i)]

New Delhi, the 18th December, 1974

S.O. 3485.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Kailash Knitting Industries, Kurla, Andheri Road, Saki Naka, Bombay-72,

have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of June, 1973.

[No. S. 35018/59/74/PF-II(i)]

का० प्रा० 3486.—कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, इस विषय में आवश्यक जांच कर लेने के पश्चात् मैसर्स कैलाश निटिंग इन्डस्ट्रीज, कुर्ला, अन्धेरी रोड, माकीनाका, मुम्बई-72 नामक स्थापन को 1 जून, 1973 से उक्त परन्तुक के प्रयोजनों के लिए विनिश्चित करती है।

[स० एस-35018(59)/74-पी० एफ०-2(ii)]

S.O. 3486.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 1st day of June, 1973 the establishment known as Messrs Kailash Knitting Industries, Kurla, Andheri Road, Saki Naka, Bombay-72 for the purposes of the said proviso.

[No. S-35018/59/74/PF-II(ii)]

का० प्रा० 3487.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कर्नाटक स्टेट एग्रो-कॉर्न प्रोडक्ट्स लिमिटेड, हेब्बाल, बंगलूर-56 नामक स्थापन जिसमें (1) 1063, सिदप्पा स्क्वायर, वार्णविलास रोड मैसूर और (2) 90, मंगलवारपेट तिलकवाडी, बेलगाव, स्थित इसकी शाखाएं भी सम्मिलित हैं, से संबद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन का लागू किए जाने चाहिए,

अतः, अतः, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1974 की जुलाई के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[स० एस-35019(200)/74-पी० एफ०-2(i)]

S.O. 3487.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Karnataka State Agro-Corn Products Limited, Hebbal, Bangalore-56, including its branches at (1) 1063, Siddappa Square, Vanivilas Road, Mysore and (2) 90, Mangalwarpet Tilakwadi, Belgaum, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Gov-

ernment hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1974.

[No. S. 35019(200)/74-PF-II(i)]

का० प्रा० 3488.—कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार इस विषय में आवश्यक जांच कर लेने के पश्चात् मैसर्स कर्नाटक स्टेट एग्रो-कॉर्न प्रोडक्ट्स लिमिटेड, हेब्बाल, बंगलूर-56, नामक स्थापन जिसमें (1) 1063, सिदप्पा स्क्वायर, वार्णविलास रोड मैसूर और (2) 90, मंगलवारपेट तिलकवाडी, बेलगाव, स्थित इसकी शाखाएं भी सम्मिलित हैं, को 1 जुलाई, 1974 से उक्त परन्तुक के प्रयोजनों के लिए विनिश्चित करती है।

[स० एस-35019(200)/74-पी० एफ०-2(ii)]

S.O. 3488.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 1st day of July, 1974 the establishment known as Messrs Karnataka State Agro-Corn Products Limited, Hebbal, Bangalore-56 including its branches at (1) 1063, Siddappa Square, Vanivilas Road, Mysore and (2) 90, Mangalwarpet Tilakwadi, Belgaum, for the purposes of the said proviso.

[No. S. 35019/200/74-PF-II(ii)]

का० प्रा० 3489.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पैक-ओ-प्रिंट, मोनेज़ारिया इण्डस्ट्रियल एस्टेट, 4 बैनरघट्टा रोड, बंगलूर-29 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अतः, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1974 के अगस्त के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[स० एस०-35019(153)/74-पी० एफ०-2]

S.O. 3489.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Pack-O-Print, Monazarla Industrial Estate, 4 Bannerghatta Road, Bangalore-29, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Gov-

ernment hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of August, 1972.

[No. S. 35019(153)/74-PF. II]

का० आ० 3490.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सेठ गिरधारी लाल दामोदरदास राठी, पोस्ट बॉक्स नम्बर 6, रायचूर नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिये,

अतः, अब उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1974 के जून के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[स० एम०-35019(199)/74-पी० एफ०-2]

S.O. 3490.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Seth Girdharilal Damodardas Rathi, Post Box No. 6, Raichur, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of June, 1974.

[No. S. 35019/199/74/PF-II]

का० आ० 3491.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स लैम्प कम्पानिज् ट्रैडिंग कम्पनी, 15 केंसिंग्टन रोड, बंगलूर नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिये ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1974 की मई के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[स० एम०-35019(156)/74-पी० एफ०-2(i)]

S.O. 3491.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the said establishment known as Messrs Lamp Components Trading Company, 15, Kessington Road,

Bangalore, have agreed that the provision of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of May, 1974.

[No. S. 35019(156)/74-PF-II(ii)]

का० आ० 3492.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) को धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् 1 मई, 1974 से लैम्प कम्पानिज् ट्रैडिंग कम्पनी-15, केंसिंग्टन रोड, बंगलूर नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[स० एम० 35019(156)/74-पी० एफ०-2(II)]

S.O. 3492.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government after making necessary enquiry into the matter, hereby specifies with effect from the 1st day of May, 1974, the establishment known as Messrs Lamp Components Trading Company, 15, Kessington Road, Bangalore, for the purposes of the said proviso.

[No. S. 35019(156)/74-PF. II(ii)]

का० आ० 3493.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स इन्टरनेशनल पैकर्स एंड मूवर्स, 1, जादीश चन्द्र बास राड, कलकत्ता-20 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिये ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1971 के सितम्बर, के तीसरे दिन को प्रवृत्त हुई समझी जाएगी।

[स० एम०-35017(193)/74-पी० एफ० 2]

S.O. 3493.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs International Packers and Movers, 1, Jagadish Chandra Bose Road, Calcutta-20 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirteenth day of September, 1971.

[No. S. 35017/38/74-PF. II]

का० प्रा० 3494.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स रिलायबल कामर्शियल कॉर्पोरेशन प्राइवेट लिमिटेड, 19 केशवजी नायक रोड, चिन्च बन्दर, मुम्बई-9 जिसमें (1) जू टाउन, कोचीन-2 (2) औद्योगिक क्षेत्र, हाइवे रोड, मेहसाना स्थिति उसकी शाखाये भी सम्मिलित हैं नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गयी है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिये,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करता है।

यह अधिसूचना 1973 की नवम्बर के प्रथम दिन को प्रवृत्त हुई समझी जायेगी।

[स० एन-35018(58)/74-पी० एफ० 2(i)]

S.O. 3494.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Reliable Commercial Corporation Private Limited, 19 Keshavji Naik Road, Chinch Bunder Bombay-9, including its branches at (1) Jew Town Cochin-2, (2) Industrial Estate, Highway Road, Mehsana have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of November, 1973.

[No. S. 35018/58/74/PF-II(i)]

का० प्रा० 3495.—कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, इस विषय में आवश्यक जांच कर लेने के पश्चात् मैसर्स रिलायबल कॉमर्शियल कॉर्पोरेशन प्राइवेट लिमिटेड, 19 केशवजी नायक रोड, चिन्च बन्दर, मुम्बई-9 जिसमें (1) जू टाउन, कोचीन-2 (2) औद्योगिक क्षेत्र, हाइवे रोड, मेहसाना स्थिति उसकी शाखाये भी सम्मिलित हैं नामक स्थापन को 1 नवम्बर, 1973 से उक्त परन्तुक के प्रयोजनों के लिये विनिर्दिष्ट करती है।

[स० एन-35018(58)/74 पी० एफ० 2(ii)]

S.O. 3495.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 1st day of November, 1973 the establishment known as Messrs Reliable Commercial Corporation Pvt. Ltd., 19 Keshavji Naik Road, Chinch Bunder, Bombay-9 including its branches at (1) Jew Town, Cochin-2 (2) Industrial Estate, Highway Road, Mehsana for the purposes of the said proviso.

[No. S. 35018(58)/74 PF-II(ii)]

का० प्रा० 3496.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पर कूटी इन्वेस्टमेंट्स (प्राइवेट) लिमिटेड, वास्वानी मेशन, दीनशा वाच्चा रोड, मुम्बई-20 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिये;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1973 के जून के प्रथम दिन को प्रवृत्त हुई समझी जायेगी।

[स० एन०-35018(32)74-पी० एफ० 2(i)]

S.O. 3496.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Parkunti Investments (Private) Limited, Vaswani Mansions, Dinshaw Vachha Road, Bombay-20, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of June 1973.

[No. S. 35018/32/74/PF-II(i)]

का० प्रा० 3497.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि, अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात्, 1 जून, 1973 से परकूटी इन्वेस्टमेंट्स (प्राइवेट) लिमिटेड, वास्वानी मेशन, दीनशा वाच्चा रोड, मुम्बई-20 नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिये विनिर्दिष्ट करती है।

[स० एन० 35018(32)/74-पी० एफ० 2(ii)]

S.O. 3497.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 1st day of June, 1973 the establishment known as Messrs Parkunti Investments Private Limited, Vaswani, Menslon, Dinshaw, Vachha Road, Bombay-20, for the purposes of the said proviso.

[No. S-35018/32/74/PF-II(ii)]

का० प्रा० 3498.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स के० बी० शिनोब एण्ड कम्पनी, पुनुर शक्तिणी कनाग जिला, जिसमें (1) ऑफिस सर्विस स्टेशन पुनुर (2) के०बी० शिनोब एण्ड कम्पनी, पानेमंगलौर स्थित इसकी शाखाएं सम्मिलित हैं, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो

गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशननिधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिये।

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1972 के अक्टूबर के प्रथम दिन को प्रवृत्त हुई समझी जायेगी।

[सं० एम०-35019(152)/74-पी०एफ० 2]

S.O. 3498.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs K. V. Shenoy and Company, Puttur, South Kanara District, including its branches at (1) Office Service Station, Puttur, (2) K. V. Shenoy and Company, Panemangalor, have agreed that the provisions of the Employees' Provident Funds and Family Pension Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of October, 1972.

[No. S. 35019/152/74/PF-II]

का० प्रा० 3499—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मूति ग्राफ़िक्ट प्रिन्टर्स, धीमथंगल रोड, शिव काशी, रामनन्दा जिला, तमिलनाडु नामक स्थापन में सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिये,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1973 के दिसम्बर के प्रथम दिन को प्रवृत्त हुई समझी जायेगी।

[सं० एम०-35019(55)/74-पी०एफ० 2]

S.O. 3499.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as the Messrs Moorthy Offset Printers, Thiruthangal Road, Sivakashi, Ramnadi District, Tamil Nadu have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of December, 1973.

[No. S. 35019(55)/74-PF-II]

का० प्रा० 3500—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स भारत फोम उद्योग प्राइवेट लिमिटेड, 15/4, मथुरा रोड, फरीदाबाद नामक स्थापन जिसके अन्तर्गत 49, राजपुरा रोड, दिल्ली-6 स्थित उसका रजिस्ट्रीकृत कार्यालय भी है से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किये जाने चाहिये।

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1973 के नवम्बर के तीसरे दिन को प्रवृत्त हुई समझी जायेगी।

[सं० एम०-35019(76)/74-पी०एफ० 2(i)]

S.O. 3500.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Bharat Foam Udyog Private Limited, 15/4 Mathura Road, Faridabad, including its Registered Office at 49, Rajpura Road, Delhi-6, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of November, 1973.

[No. S. 35019/76/74/PF-II(i)]

का० प्रा० 3501—केन्द्रीय सरकार कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि, अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात्, 30 नवम्बर, 1973 से भारत फोम उद्योग प्राइवेट लिमिटेड, 15/4 मथुरा रोड फरीदाबाद नामक स्थापन का जिसके अन्तर्गत 49, राजपुरा रोड, दिल्ली-6 स्थित उसका रजिस्ट्रीकृत कार्यालय भी है, उक्त परन्तुक के प्रयोजनों के लिये विनिर्दिष्ट करती है।

(सं० एम०-35019(76)/74 पी०एफ० 2 (ii))

S.O. 3501.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 30th day of November, 1973 the establishment known as Messrs Bharat Foam Udyog Private Limited, 15/4, Mathura Road, Faridabad, including its Registered Office at 49, Rajpura Road, Delhi-6, for the purposes of the said proviso.

[No. S. 35019/76/74/PF-II(ii)]

का० प्रा० 3502—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स नोवल पैकेजिंग, मिटल एस्टेट, एम० कामजो रोड, अन्धेरी (पूर्वी) मुम्बई-59 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और

कुटुम्ब पेशन निधि अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अथ, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1973 के अक्टूबर के तीसरे दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एम- 15018(54)/74-पी०एफ० 2]

S.O. 3502.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Noble Packaging, Mittal Estate, M. Vasanji Road, Andhari (East) Bombay-59 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of September, 1973.

[No. S. 5/56/74-PF.II]

का० आ० 3503—यह केन्द्रीय सरकार को यह प्रतीत होता है कि मैमर्स मेण्टन्स (बंगलूर) (प्राइवेट) लिमिटेड, साइट नं० 1, कोरामंगल इण्डस्ट्रियल ले आउट, होसुर रोड, बंगलूर-34 नामक स्थापन से सबद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अथ, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1973 के अक्टूबर के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एम- 35019(155)/74-पी०एफ० 2(i)]

S.O. 3503.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mantons (Bangalore) (Private) Limited, Site No. 1, Koramangala Industrial layout, Hosur Road, Bangalore-34 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of October, 1973.

[No. S. 35019(155)/74-PF. II(i)]

का० आ० 3504—केन्द्रीय सरकार कर्मचारी भविष्य निधि और कुटुम्ब पेशन निधि, अधिनियम, 1952 (1952 का 19) की धारा 1 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सबद्ध विषय में आवश्यक जांच करने के पश्चात् 1 अक्टूबर, 1973 से मेण्टन्स (बंगलूर) (प्राइवेट) लिमिटेड, साइट नं० 1, कोरामंगल इण्डस्ट्रियल ले आउट, होसुर रोड, बंगलूर-34 नामक स्थापन को एतद्वारा उक्त परन्तुक के उपबन्धों के लिए विनिर्दिष्ट करती है।

[सं० एम- 35019(155)/74-पी०एफ० 2(ii)]

S.O. 3504.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 1st day of October, 1973, the establishment known as Messrs Mantons (Bangalore) (Private) Limited, Site No. 1, Koramangala Industrial layout, Hosur Road, Bangalore-34 for the purposes of the said proviso.

[No. S. 35019(155)/74-PF. II(ii)]

का० आ० 3505—यह केन्द्रीय सरकार का यह प्रतीत होता है कि मैमर्स इकोनॉमिक इन्टरप्राइजेज, 15 पटेल औद्योगिक एस्टेट, एन० वी० रोड, दाहीसार, मुम्बई नामक स्थापन से सबद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अथ, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1974 के मार्च के इक्कीसवें दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35018(72)/74-पी० एफ० II]

आर० पी० नरुला, अवर सचिव

S.O. 3505.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Economic Enterprises, 15, Patel Industrial Estate, S. V. Road, Dahisar, Bombay have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of March, 1974.

[No. S. 35018(72)/74-PF.II]

R. P. NARULA, Under Secy.